

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
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.	TOD-zoned properties are typically located in transit station areas, which are intended to have high-density development to take advantage of proximity to nearby rapid transit. Within these areas, landscape yards are not required. The standards in the draft UDO are consistent with the TOD standards currently in place. In addition to the UDO, Building Code will limit the proximity of buildings to each other.	No
6/3/2022	15.6 Accessory Uses: Prescribed Conditions	Page 15-54 "C. Dwelling Accessory (ADU) 7. An ADU located within an accessory structure shall comply with the following additional requirements: a. The ADU shall have a total floor area no greater than 50% of the total floor area of the principal residential use." 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.	The approach to ADUs in the draft UDO is different than the regulatory language for ADUs in the current Zoning Ordinance. For example, ADUs will now be allowed on properties with duplex development so long as the dwelling units are not on their own sublots; the square footage allowance has been adjusted; the setback requirements have been relaxed.  It is the city's desire that this improves the ability for the construction of ADUs. However, staff will continue to evaluate the effects of these adjustments going forward to determine if they have the desired result or if there are additional opportunities for adjustments to further spur ADU development to help mitigate affordability issues and dwelling unit needs throughout the city.	No
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.	The word "Commercial" will be removed and the use will be called "Marina". Commercial activities and fuel sales may be allowed but are not a requirement.	Yes

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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>	<p>Article 15.6 of the draft UDO, which covers the Prescribed Conditions for Accessory Uses, in Paragraph H.2, states: If at any time between the hours of 11:00 p.m. and 8:00 a.m., food and/or beverages are consumed in an outdoor seating/activity area, it shall meet the following: a. The outdoor seating/activity area shall be separated by a distance of at least 100 feet from a lot line of any property located in the Neighborhood 1 Place Type. b. Distances are measured from the closest edge of any outdoor seating/activity area to the nearest lot line of property located in a Neighborhood 1 Place Type.</p> <p>Reference page 15-56 of the second draft UDO. This should address the concerns expressed in this comment.</p>	No
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, set-backs, open space, etc. Allow a height bonus of 1 floor in N2B neighborhoods for these projects.</p>	<p>The draft includes a provision for affordable housing to plant trees on-site instead of paying a fee for heritage tree removal. Affordable housing projects that meet affordability criteria will receive double credit for tree planting.</p> <p>Staff does not recommend making changes to the bonus table at this time but will monitor the effectiveness of the bonus approach for affordable housing and continue to work with the affordable housing development community to consider changes in the future.</p>	No

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6/7/2022	15.4 Principal Uses: Prescribed Conditions	<p>"Section 15 .4.L.4 &amp; 5 - Bed and Breakfast restrictions. Why would you not allow B &amp; 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>	<p>Staff believes the separate language governing the uses of B&amp;B and ADUs are appropriate. An obstacle, by definition and nature, is that B&amp;B rooms are not complete dwelling units housing their own cooking and sanitary facilities. However, ADUs, by definition and nature, are complete dwelling units housing their own cooking and sanitary facilities. To allow B&amp;Bs in ADUs blends the uses and their requirements which becomes difficult to differentiate, administer, and enforce.</p> <p>The approach to ADUs in the draft UDO is different than the regulatory language for ADUs in the current Zoning Ordinance. For example, ADUs will now be allowed on properties with duplex development so long as the dwelling units are not on their own sublots; the square footage allowance has been adjusted; the setback requirements have been relaxed.</p> <p>It is the city's desire that this improves the ability for the construction of ADUs. However, staff will continue to evaluate the effects of these adjustments going forward to determine if they have the desired result or if there are additional opportunities for adjustments to further spur ADU development to help mitigate affordability issues and dwelling unit needs throughout the city.</p>	No
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. 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>	<p>While the UDO does not require parking, in most cases, for Charlotte's most urban and multi-modal areas, the UDO does not disallow the inclusion of parking in these developments, consistent with market demand. The UDO parking standards for these urban areas implement the related policies in the 2040 Comprehensive Plan.</p>	No
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>	<p>Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.</p>	No
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>	<p>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>	No

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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.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
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.	Staff will be revising the approved species list as a part of an updated to the Charlotte Land Development Standards Manual before the effective date of the UDO.	No
6/13/2022	15.6	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.  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)"	The approach to ADUs in the draft UDO is different than the regulatory language for ADUs in the current Zoning Ordinance. For example, ADUs will now be allowed on properties with duplex development so long as the dwelling units are not on their own sublots; the square footage allowance has been adjusted; the setback requirements have been relaxed.  It is the city's desire that this improves the ability for the construction of ADUs. However, staff will continue to evaluate the effects of these adjustments going forward to determine if they have the desired result or if there are additional opportunities for adjustments to further spur ADU development to help mitigate affordability issues and dwelling unit needs throughout the city.	No
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"?	The intent is traffic bearing streets designed to meet subdivision requirements are not area eligible to calculate toward required open space standards.	No
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?	A network required private street would be considered a frontage.	No
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."	This provision will be edited to allow sites to prune trees with a city issued tree work permit without a code requirement to prune the tree.	Yes

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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>	<p>The proposed Prescribed Condition that restricts operations and outdoor maintenance will be removed to allow 24/7 operations and outdoor maintenance. However, a prohibition on blasting on Sundays and between 7:00 pm and 7:00 am will be added to the Prescribed Conditions for Quarries.</p>	Yes
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>	See above response	Yes
6/16/2022	Article 15	<p>Currently Quarries are allowed in I-2 zoning districts provided site conditions are met with Engineering &amp; 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.</p>	<p>The conditional use permit would only be required for new quarries. It is important that the community can review and comments on the specific plans for the creation of a new quarry within Charlotte's boundaries or ETJ.</p>	No
6/16/2022	Article 20	Require developers to keep 25% of the EXISTING trees on property they plan to build on	<p>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.</p>	No
6/16/2022	20.14	<p>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.</p>	<p>Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.</p>	No
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"> <li>1) Requiring any tree replacement to be with North Carolina Native trees.</li> <li>2) Imposing steeper fines for mature trees being cut down.</li> <li>3) Disallowing any tree cutting or clearing in a designated tree save area to cover at least 20% of the lot.</li> </ol>	<p>Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.</p> <p>In addition, 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.</p>	No

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6/17/2022	Article 20	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.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/17/2022	Article 20	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.	These trees are not likely code-required trees and any replanting would be conducted by the property owner at their discretion. If this property is city-owned, residents can make a service request by calling 311 or through CLT+ to have these trees replanted.	No
6/17/2022	Article 20	Article 20. Please make the trees really, really important. Preserve large trees and plant new ones. Make it really hard for developers to disrespect the trees and the people in the neighborhoods!	Staff have received and noted your statement. The UDO proposes several changes to better protect these trees from damage and removal.	No
6/20/2022	Article 15	In Townhome Communities, the presence of short term rentals can create a situation that invades peoples privacy, parking problems when others come to parties, damages to the properties to the Right and Left of the said short term rental. Also, the Value of the properties to the Right and Left as well as surrounding sets of townhomes, could and would be affected by the presence of Short Term Rentals. Our privacy in small townhome communities is Essential to our Safety and Right to live in a secure setting. Short term rentals would have a detrimental effect on many fronts. Please take these important points into consideration.	At this time the City Attorney's Office has advised staff to remove language regulating short-term rentals from the draft UDO due to legal uncertainties. If/when the legal and legislative uncertainties surrounding this type of use becomes more clear the City Attorney's Office will work with staff to develop appropriate standards.	No
6/20/2022	Article 20	Article 20. Landscape, Screening, & Trees - I think it is important to have tree ordinance so that contractor and home owners can't cut down heritage trees for know good reason. I think if they have to cut done a tree for construction etc. they should have to plant at least 2 trees for every 1 tree remove. I total agree on having to have permits to cut down trees and fines if you don't do so. Thanks	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/20/2022	Page 19-46. 19.9.C	Long-Term Bicycle Parking: The difference between long term parking and short term parking is far too narrow to be meaningful. Protection from the elements is one part of the equation when it comes to long term bike parking, but the security of the space also plays a role. Especially with the increasing popularity of expensive e-bikes. I recommend either requiring long-term spaces to be secured by some means (either in a controlled access area or by bike lockers) or at least have some percentage of the long term spaces be secured.	This suggestion would shift the responsibility for bicycle security from the bicycle rider/owner to the property owner. Staff does not support making a change at this time, since most bike riders who leave their bikes parked long-term will have secured them with a lock of some type or will have found a secure location.	No
6/21/2022	16.4	Affordable Housing Development Allowances, A-2: Is this backwards: "If zoned the N2-C or NC Zoning District, to build to the N2-A or N2-B Zoning District standards" The way this is written is offering you the ability to build less density. Shouldn't it read: If zoned N2-A or N2-B Zoning District standards to build to the N2-C or NC Zoning District.	The referenced language was developed based on input from affordable housing developers who indicated that the more intense form of development in N2-C frequently is inconsistent with the desired form of development for affordable housing.	No

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6/21/2022	19.9	Design of Bicycle Parking A4: "Bicycle parking facilities shall provide sufficient security from theft and damage." This statements seems to put liability for stolen & damaged bicycles on the developer. They should not be responsible for preventing criminal acts. I think the points about bike racks being anchored securely and being in a well-lit location are fine.	(2022-06-22) The new standard in 19.9.A.4 means that the bike parking facility (i.e. the bike rack), not the parked bicycles, shall have security from theft and damage. The second sentence provides additional clarification by saying it must be anchored to the ground and have sufficient lighting and visibility.	No
6/21/2022	Article 20	Trying to understand how an N2 multifamily site would apply tree save and open space requirements. If I have a 1 acre lot (43,560sf), I am required to provide 10% open space (4,356sf) and 15% green area/tree save (6,534sf). Fifty percent of my open space can count towards tree save so open space (2,178sf) + open space as tree save (2,178) + remaining tree save (4,356) = 8,712 sf total. Is that correct? Could I potentially lose 20% of developable site area to tree save/open space unless I pay the city a ton in fees?	There are multiple ways to meet green area and open space requirements. Depending on the site's Place Type and resulting tier, green area requirements can be met through tree save, amenitized tree area, green roof or wall, land donation, off site mitigation, and payment in lieu. Open space can in the open air, under a roof, or on a building roof, balcony, or deck. Open space and some green area credit options can be overlapped as well. Payment in lieu is another option. These options for green area and open space provide opportunities to reduce the amount of development area that is impacted.	No
6/22/2022	Article 15	I am not sure if comments about Airbnb belong in this section, but please accept them if not. The Airbnb next-door to me on Leyla Avenue in Wesley Heights is a constant party zone. It's a quiet neighborhood otherwise, but when it is rented out large party spill out onto the street and there's usually some type of drug activity. The music is so loud that I cannot sleep because our houses are very close together. Not to mention the smells I have to endure. There are other Airbnb's in the neighborhood and my neighbors report the same type of activity. Can you please increase penalties For Airbnb landlords who are not on the property and don't see what's happening. They shouldn't have free rain and ruin everybody else's peace.	At this time the City Attorney's Office has advised staff to remove language regulating short-term rentals from the draft UDO due to legal uncertainties. If/when the legal and legislative uncertainties surrounding this type of use becomes more clear, the City Attorney's Office will work with staff to develop appropriate standards.	No
6/22/2022	20.14	20.14 - This does not go far enough in protecting Charlotte's trees. A developer should be required to leave more green space and preserve heritage and larger trees. So many lots are cleared with a few twigs left to represent the "preserved" space. Buildings are out of proportion to the lot size and neighborhood. This cannot be allowed to continue. Our once beautiful city is being destroyed with the clear cutting of lots. Strengthen the fines for ruining the landscape and destroying the trees. This doesn't go far enough in fines or incentives to keep our trees.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/23/2022	Table15-1 and Use Definitions	Still unclarity with campus uses (majority only permitted uses are campus or educational facilities) and those definitions which appear to not support a stand along apartment, residential, office, or retail project.	Uses are based on the campus type and campus use definitions found in Article 15. The intent of the campus districts is to have uses that relate to the overall intent of the campus type. For example, an educational campus would have offices and residential related to the educational facility. Retail uses would also be related to the educational facility but could also be open to the general public. The RC-1 district will allow stand-alone residential, office, or retail. This will be clarified in the next draft.	Yes
6/23/2022	Table 16-1: Bonus Menu	Points too low for 11 & 12 to be utilized; recommend atleast increasing to 2 points. estimates i've seen are around \$25k for a multi-modal mitigation. compared to microbilty lockers for 10 points, i would assume that microbilty lockers would not cost \$125k-\$250k which would equate those two bonus options.	Staff believes that the proposed points are appropriate. However, staff will monitor the bonus table use and may make recommendations for change in the future.	No
6/23/2022	16.5 (A)(5)	clarify what dedicated r/w means? is this proposed r/w to be dedicated at end of construction for new roads? future transit r/w?	16.5.A.5 does not reference right-of-way. Please contact staff with an updated reference.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/23/2022	Table 16.2	remove elevation requirements of 24" and indicate it shall be ADA accessible to adjacent sidewalk, and not greater than 48" above grade.	This is not a requirement to be 24" from grade. This is an standard that an open space can be no more than 24" above or below grade, on average. This does not override any ADA requirements.	No
6/23/2022	20.15	Tier 3 & 4 green area should be combined (in table they are essentially the same) to include only N1, N2-A, parks and preserve. OFC zoning could occur on very small infill lots based on policy map and is closer to a Commercial place type. footnote 1 should be removed, it is not reasonable for the chief urban forester to make a decision without parameters that a project could be built or not. current ordinance allows replanting at 150%.	While tier 3 and tier 4 are largely similar, there are key differences that require these to remain separate. Among these differences is the fact that some perimeter planting standards apply to tier 3 sites that do not apply to tier 4 sites. Footnote 1 will not be revised in the next draft as this requirement largely mirrors the current standard. The current ordinance allows trees to be planted for mitigation "where the existing tree canopy must be removed due to conflicting design criteria or hardship approved by the city" at 150% for single family subdivision sites and all sites located within a "wedge". The UDO uses different language but maintains that approval from the city must be granted before trees are removed.	No
6/23/2022	20.16	confirm that ex. ordinance issues for perimeter tree planting calc have been resolved and driveways, utility easement areas, sight triangles, NCDOT sight distance, etc. are now excluded from the overall distance and calc.	These elements will not be excluded from the calculation of the number of required perimeter trees but flexibility will continue to be granted for where they may be planted.	No
6/24/2022	19.3	<p>REQUIRED ELECTRIC VEHICLE CHARGING STATIONS - Page 19-28.</p> <p>Thank you for the opportunity to comment upon the Second Draft of the Charlotte UDO – and for the efforts the planning team is making to incorporate community feedback.</p> <p>ABOUT CHARGEPOINT ChargePoint is a world leading electric vehicle ("EV") charging network, providing scalable solutions for every charging scenario from home and multifamily to workplace, parking, hospitality, retail, and transport fleets of all types. ChargePoint's cloud subscription platform and software-defined charging hardware is designed to enable businesses to support drivers, add the latest software features and expand fleet needs with minimal disruption to overall business.</p> <p>19.3 Subsection B</p> <p>EV Capable vs EV Ready: ChargePoint urges the City to retain EV-Ready in lieu of EV-Capable. The cost to add additional breaker capacity and a 240V outlet receptacle or blank cover is a minimal cost at the point of new construction. Adding electrical components and wiring to terminate at the parking location to enable future EV charging would add a couple hundreds of dollars as compared to around \$1000 in electrical work to enable charging infrastructure. See Slide 24 of City of Orlando's 2019 EV Make Ready Study: <a href="https://www.orlando.gov/files/sharedassets/public/departments/edv/accc-ev-ready-commissioner-briefings_updated.pdf">https://www.orlando.gov/files/sharedassets/public/departments/edv/accc-ev-ready-commissioner-briefings_updated.pdf</a></p> <p>This also would reduce barriers to electrification by the site-host and consumer/resident who seeks access to EV charging.</p> <p>EVSE Installed: ChargePoint supports the specific requirement in Subsection B 2 for amperage. However, the amperage requirement should be at the panel and not at the charger. ChargePoint supports an input requirement of a 40amp breaker that would enable a 32amp EV charging station.</p> <p>Furthermore, we recommend that the City remove language that could unintentionally impose power (kW) requirements for EV</p>	Staff believes that the standards in the current draft are appropriate and does not recommend changes.	No



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6/24/2022	15.3	<p>Outdoor Storage Yard on page 15-22. I2 land makes up 18,389 acres and the average size is 3.6 acres. The new UDO calls for outside storage to be a minimum of 30' from any lot line. That takes away a lot of productive land for I2 users. And you could have 2 I2 users next to each other with 30' + 30' = 60' of land that cannot be used.</p> <p>Current zoning says side yards must be 0 or 5' and rear yards must be 10' (if I am reading the code correctly). If no one has really complained I don't know why that needs to change so dramatically. We already have the situation covered if next to residential and/or on public right of way.</p> <p>As you know, there is not enough I2 land as it is. I feel this is making it less productive. Happy to discuss if any questions or if my facts are incorrect.</p>	<p>The 30' separation will be eliminated where properties zoned ML-1 or ML-2 abut. The limit on stored materials not exceeding the fence/wall height will be changed from 30 feet to 15 feet.</p> <p>The side setback for both ML districts in the Public Hearing Draft UDO is now zero (0'). The rear setback has been changed to 10' in this draft.</p>	Yes
6/27/2022	Article 20	<p>p20-36, 20-37, 23-12, 25-13, 27-11 Article 20 (p20-36/ 20-37) does NOT have the same language as other articles It should say: 7. To designate appropriate other person(s) who shall carry out the powers and duties of the Chief Urban Forester.</p> <p>This sentence is in Article 23 (watershed), 24 (stormwater), 25 (PCSO), 26 (SWIM), (28 ) Erosion This sentence is not in Article 20 or 27 (floodplain) of 30 (SSI Administrator)"</p>	This change will be made in the next draft of the UDO.	Yes
6/27/2022	Page 15-22	<p>Outdoor Storage Yard on page 15-22. I2 land makes up 18,389 acres and the average size is 3.6 acres. The new UDO calls for outside storage to be a minimum of 30' from any lot line. That takes away a lot of productive land for I2 users. And you could have 2 I2 users next to each other with 30' + 30' = 60' of land that cannot be used.</p> <p>Current zoning says side yards must be 0 or 5' and rear yards must be 10' (if I am reading the code correctly). If no one has really complained I don't know why that needs to change so dramatically. We already have the situation covered if next to residential and/or on public right of way.</p> <p>As you know, there is not enough I2 land as it is. I feel this is making it less productive. Happy to discuss if any questions or if my facts are incorrect.</p>	See above response.	Yes
6/27/2022	Page 15-18	page 15-18 bona fide farm definition does not fully portray that General Statute 160D-903 exempts bona fide farm use from all of UDO except floodplain. Add a definition in Article 2 to more fully explain the inapplicability of UDO on farm uses	Staff disagrees. The definition for bona fide farm directly references the applicable general statute and the city does have the ability to regulate bona fide farms depending on where they are geographically located within its sphere of influence.	No
6/27/2022	Page 15-29	page 15-29 Use: Beneficial Fill Site: #6. why is a plat for a Beneficial Fill site not sufficient when it shows the same thing as a survey. The added sentence is redundant	The beneficial fill site, itself, does not require a recorded plat. The requirement is for the location of a beneficial fill site to be indicated on recorded plats when required by development.	No
6/27/2022	Page 15-34	page 15-34 prescribed conditions on Quads: Regardless of the Zoning category, inclusionary zoning is not authorized by state law so you may not require 1/4 of a quad meet priced for a 80% AMI. Remove note #1 a	The quadraplex allowance is through the bonus of an affordable housing unit. Without this bonus, a single-family, duplex, or triplex dwelling would be allowed.	No
6/27/2022	Page 15-53	page 15-53, defined p15-25 Temporary Outdoor Sales the addition of #2 under G. Temporary Outdoor Sales makes garage sales not allowed in N1 & N2. How can you not allow garage sales? change the definition on 15-25 to exclude garage sales with permits	The use definition of Temporary Outdoor Sales is not intended to capture garage sales events at residential properties.	No

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6/27/2022	Page 15-55	<p>pg 15-55: home occupation #8</p> <p>How does the definition on page15-20 not also mean all of the people currently working from home? I suggest it needs to differentiate between running a business and working for a business from your home.</p> <p>#1 should read 1. A zoning Customary Home Occupation use permit is required.</p> <p>#8 not allowing an employee to pick up a paycheck or drop off an assignment is absurd when you allow UPS or door dash to do the same. change # 8 so people don't have to cheat. "Only residents of the dwelling may be engaged in work activities at the residence." is sufficient- the last sentence should be deleted</p>	<p>Staff can explore in the future if making a differentiation between a home location as a principal business location and as a virtual secondary office location is necessary and warranted.</p> <p>Reference #1, what is currently a Customary Home Occupation Permit is a type of Zoning Use Permit. It appears such further distinguishment is unnecessary.</p> <p>Reference #8, staff feels this language is appropriate as it is designed to protect the residential nature of neighborhoods by keeping home locations from being commercialized as distribution and dispatch hubs.</p>	No
6/27/2022	Page 16-1	<p>page 16-1 A.1. one principal structure per lot</p> <p>Conflicts with page 4-7 #4.3 G-1 (a) which says 2 principal structures in N1-F</p>	<p>Two principal structures would be allowed on a lot in N1-F consistent with 16.1.A.1.</p>	No
6/27/2022	Page 16-10	<p>page 16-10 noise, vibration, dust, odors</p> <p>Item A. Noise references Municipal code 15 (section 15-63) but item B needs similar reference to allow for grading activities on tracts of land between 7:01 am and 8:59pm (like current Code). Item D- Odors and Fumes can not be applied to the entire ETJ . Language needs to match 160A-193 (c) "The authority granted by this section does not authorize the application of a city ordinance banning or otherwise limiting outdoor burning to persons living within one mile of the city, unless the city provides those persons with either (i) trash and yard waste collection services or (ii) access to solid waste dropoff sites on the same basis as city residents"</p>	<p>The referenced language of Item B matches the existing vibration language of the current Zoning Ordinance found at Section 12.703. Staff is unaware of any referenced current code exemption for grading activities in the Zoning Ordinance or City Code.</p> <p>Reference Item D, this Section would only be applied in egregious situations as determined by the Zoning Administrator and/or UDO Administrator.</p>	No
6/27/2022	Page 16-9	<p>page 16-9 section 16.6 A.</p> <p>sidewalk width on a private lot to a private front door is not for public use and is clearly a design element violating 160D-702.</p> <p>Change needed is to delete all of # 1 and change # 2 to read::</p> <p>2. All other residential dwellings and developments except townhomes, duplexes, triplexes and quadruplexes: A pedestrian connection, a minimum of five feet in width....."</p>	<p>Staff does not believe that sidewalk width is a design element as defined by 160D-702.</p>	No
6/27/2022	Page 16-9	<p>page 16-9 dimensions of decks (in the chart) is a design element violating G.S. 160D-702 remove that row or exempt SF, Duplex, triplex, quads and TH's</p>	<p>Staff does not believe that the dimension of decks is a design element as defined by 160D-702.</p>	No
6/27/2022	Page 17-1	<p>page 17-1 zoning use permits for accessory structures</p> <p>17.1 C. requires a Zoning Use permit or a Building permit but that is not correct, because the definition of structure (pg 2-39) would include mailboxes, fences, walls, and electric transformers -- not of which should require a zoning or building permit. Either change the definition or the requirement for a Zoning Use Permit</p>	<p>The current practice of not requiring zoning use permits for mailboxes, fences, walls, etc. will carry forward as practice for administration of the UDO.</p>	No
6/27/2022	Page 17-3	<p>page 17-3 fence &amp; wall prohibition in sight triangle was added twice as #B and # h. delete the added # H</p>	<p>This correction will be made.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/27/2022	Page 19-47	page 19-47 Commercial vehicle storage. no large comm vehicles in mixed -use means no schools or public safety in mixed use stored overnight. Needs exceptions to allow firetrucks/school buses and similar vehicles - because Public Transit Facilities and Public Safety facilities are allowed uses in all districts	For clarity, both public transit facilities and public safety facilities are not allowed in ALL zoning districts.  Staff feels the current language is appropriate. While it is not impossible that a public transit facility or public safety facility may be a part of a mixed-use development it is more likely they would take the form, due to their operations and security/emergency operational requirements, of standalone nonresidential development. As such, that development and storage of commercial vehicles would then be covered by the allowances of Section 19.11.C.	No
6/27/2022	Page 16-1	page 16-1 cottage court not capitalized in 16.1 A 1 b. and 16.1 B 3	This is intentional. The references are to the form of development, not the formal zoning overlay district.	No
6/27/2022	Page 16-8	page 16-8 section 16.5 A. 2 says Tree Save doesn't count but # 3 b says 50% counts. eliminate Tree Save in item 2	Staff will revise this to allow elements that may overlap as specified by this section.	Yes
6/27/2022	Page 18-2	page 18-2 section 18-2 C says breezeway has to be to rear or side, pole separation & max height. All conflict with passageway requirements in articles 5,7,9,10,11,12,13. Adding definition of passageway in Article 2 will resolve the conflict	Staff disagrees. The word passageway occurs once in the draft UDO - in the definition of building length. It therefore seems that the passage requirements referenced are meant to be distinguished from requirements for breezeways.	No
6/27/2022	Page 20-10	page 20-10 fence height Table 20-2 says 6' min / 10' max. in class C but pg 20-5 says 6' min 8' max. Further conflicting with section 17 page 17-4 which says 5, 6', or 8' max needs correction and clarity	Staff feels the differentiation is appropriate as the heights are standards for different purposes. Table 20-2 regulates fence height for landscape yards. The fence height referenced on page 20-5 regulates fence heights for parking lot screening. The references to Article 17 regulates fence heights for residential properties in Neighborhood 1, Neighborhood 2, and Mobile Home Park Zoning Districts.	No
6/27/2022	Page 20-17	p 20-17, 20-26, 20-20 (twice) Heritage tree applicability, and frontage tree 'subdivision' regs listed says section 31.3 A but it's correctly section 30.3	Staff will adjust this reference accordingly	Yes
6/27/2022	Page 20-21	page 20-21 D. #4 method of calculation title says Tree Save Method for Calculation but Paragraph title says Green Area calculation I believe Green Area is correct title	Staff will adjust this header to say Green Area Method for Calculation	Yes
6/27/2022	Page 20-23	page 20-23 #10 TS overlap I emailed Tim porter and believe that it should be Green Area Overlap not Tree Save	This is correct as written. This section is only specifying how tree save areas may be overlapped with other open areas. Any green area credit (including tree save) that may be overlapped with other required open areas has a similar section (see amenitized tree area in section 20.15.1.6)	No
6/27/2022	Page 20-24	page 20-24 H Off-site mitigation acceptable to Chief, a conservation group AND in compliance? All 3? Or one of the three? I believe it is # 1 or 2 and # 3. change # 1 to say "Approved by the Chief Urban Forester or acceptable to a land conservation group listed in the Charlotte Tree Manual." and change #3 to #2	This standard will be revised to allow land used for off-site mitigation to be conveyed or protected if land is approved by the Chief Urban Forester and in compliance with the Charlotte Tree Manual.	Yes
6/27/2022	Page 20-25	page 20-25 I. #3 gravel paths gravel paths are pervious per state law. Change definition pg 2-21	Per this standard, gravel pathways in amenitized tree areas will be considered pervious.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/27/2022	Page 20-32	p20-32/33 required tree survey definition of "canopy" says aerial. Survey should not be required for an undisturbed area. it's still a forest & it doesn't matter if it's Oaks or poplars	The tree survey required for tree save or green areas used for credit toward green area requirements only requires a survey of the area of the site, not specific trees.	No
6/27/2022	Page 20-33	p 20-33 section 20.18 A. #3. spacial tree data CLDSM does not detail anything on Spacial Tree Data. Would be better to describe the requirement and provide specific reference then make us go to every page in two different books to find what you are referring to	This is a practice throughout the UDO to keep the most technical standards outside of the UDO. This standard will be added to the CLDSM before the effective date of the UDO.	No
6/27/2022	Article 20	Article 20 -Council meeting on 6/27/22 Amending the the Tree Documents/ outside of the UDO is just a way to hide outside the public eye. Transparency is important. The chance of conflict when you have parallel documents is high. Keep all rules in one place. worst case at least specifically say in Article 20 that you buried rules on taxpayers in another document & tell us where to look	A public hearing will be held on the amendment to the Tree Ordinance to enact heritage tree protection on the same night as the UDO public hearing. Highlights of the amendments to the Tree Ordinance amendment were presented at Virtual Meetings on the UDO. Changes to Chapter 21 of the City Code of Ordinances will also be the subject of community engagement after adoption to ensure residents are aware of the new standards.	No
6/27/2022	Page 21-1	p 21-1 last page of all districts says subject to Loading spaces defined page 2-22 Loading Area Space. An unobstructed area, not located within the public right-of-way, maintained for the temporary parking of trucks and other delivery vehicles for the purpose of loading and unloading goods, wares, materials, and merchandise. and last page 4-14 and 5-17, 6-12, 7-17, 8-6, 9-17, 10-16, 11-16, 12-17, 13-18 but the table # 21-1 on page 21-1 doesn't exclude uses, but it doesn't include them. It needs an exception listed added to 21.1 A. "If Use is not listed on Table 21-1 no Off-Street Loading Space is required."	Loading spaces shall be required for new construction as per the effective date of the ordinance. Any existing buildings without loading spaces or with fewer than the required number of loading spaces at effective date are exempted.  Table 21-1 provides guidance, by use, of the number of loading spaces required. If a use is not listed, such as single-family residential, multi-family attached, or the residential component of a mixed-use development, then there is no loading space requirement.	No
6/27/2022	Page 21-1	page 21-2 Section 21-3 Solid Waste typo: 'Chapter 10' twice. " The purpose of the solid waste service area standards is to provide safe and convenient access for users and service providers during the depositing and collection of solid waste and recyclable materials and to encourage waste reduction. Where the standards of this section for required solid waste service areas conflict with Chapter 10 of the City Code shall control."	This is intentional for clarity.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/27/2022	Article 15	<p>15-2: The use matrix for the RC-1 Zoning District was not updated to reflect the intent of the district which is mixed use. The table should include the following for the RC-1 District:</p> <p>Residential Uses allowed by PC: MF Dwelling Attached and Stacked, Dwelling - Quad, Dwelling - Townhouse, Multi-Dwelling Dev,</p> <p>Uses allowed: Amusement Facility Indoor and Outdoor, Art Gallery, Arts and Fitness Studio, Broadcast Facility w/wo antennae, Commercial Kitchen, Hotel/Motel, Industrial Design, Micro production of Alcohol, Financial Institution (no Drive Thru), Medical Office, Office, Personal Service Establishment, R&amp;D, Restaurant/Bar (no drive thru), Community Center, Cultural Facility, Education Facility (Preschool, Primary/Secondary, University or College), Place of Worship, Public Safety Facility, Healthcare, Institution, Office Campus, Public Transit Facility, Community Garden, Childcare (accessory to employment), Helistop, Outdoor Seating/Activity Area</p> <p>Uses allowed by PC: Convention Center, Live Performance Venue, Neighborhood Commercial Establishment, Outdoor Market, Specialty Food Service, Retail Goods Establishment and Showroom, Childcare Center and Childcare Center Large, Educational (Vocational), Edu Campus, Gov Campus, Medical Campus, Research Campus, Craft Industrial, Light Industrial, Movie Studio, Beneficial Fill Site, LCID, Parking Structure, Conservation Area, Farm, Driving Range, Public Park, Utility, Wireless Communications, All Temp Uses, Outdoor Entertainment</p>	Specific uses allowed in the RC-1 district will be clarified in an upcoming draft.	Yes
6/27/2022	15.3	<p>15.3 PRINCIPAL USES: PRESCRIBED CONDITIONS</p> <p>Single Room Occupancy (SRO): Further clarification is needed to limit the use of what is commonly referred to as "student-housing" where individual rooms are rented to separate tenants within one dwelling unit. It is not clear how this definition and standards would apply to this industry product type. If it does not, then a separate definition and use standards are needed.</p>	<p>The product type described is classified as multi-family, not SRO. The City Attorney's Office has advised that zoning cannot differentiate between housing units that are rented by the unit and those that are rented by the room.</p> <p>The definition of an SRO will be updated to better clarify the difference between and SRO and rent-by-the-room multifamily.</p>	Yes
6/27/2022	15.3	<p>15.3 PRINCIPAL USES: PRESCRIBED CONDITIONS</p> <p>For all uses noted as PC in the RC-1 district the following note should be added to each PC use designated [Insert Use]in the RC-1 District shall be designed as a component of a larger mixed-use development that includes multiple buildings comprised of multiple uses, exclusive of [insert use] uses.</p>	Staff believes that free standing buildings with individual uses can be a viable component of an RC-1 campus and does not recommend a change.	No
6/27/2022	15.6	<p>15.6 USE DEFINITIONS</p> <p>Dormitory. A building intended or used principally for sleeping accommodations. A common kitchen and common gathering rooms for social purposes may also be provided. This definition does not address this product type either</p>	<p>The product type described is classified as multi-family, not a dormitory. The City Attorney's Office has advised that zoning cannot differentiate between housing units that are rented by the unit and those that are rented by the room.</p> <p>The definition of a dormitory will be updated to better clarify the difference between and dormitory and rent-by-the-room multifamily.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/27/2022	15.6	<p>15.6 USE DEFINITIONS</p> <p>The Single Room Occupancy (SRO) definition does not account for student housing, where rooms are leased for a longer duration. A new definition and development standards are needed for the latter.</p>	<p>The product type described is classified as multi-family, not SRO. The City Attorney's Office has advised that zoning cannot differentiate between housing units that are rented by the unit and those that are rented by the room.</p> <p>The definition of an SRO will be updated to better clarify the difference between and SRO and rent-by-the-room multifamily.</p>	Yes
6/28/2022	Article 20	<p>Article 20 - Cheers to the provisions regarding native &amp; non-invasive species!!! This is FANTASTIC! Perhaps the mix of deciduous &amp; evergreen ratio could be revisited? Yes, evergreens give year round attraction, but we need a mix of both to properly support native bugs &amp; birds. (Part I)</p>	<p>The requirement for 40% evergreen trees, in addition to evergreen shrubbery, is sufficient to support the purposes of the article.</p>	No
6/28/2022	Article 20	<p>Also, this article is hard to read, with so much crossed out info. Is the tree caliper requirement still in there? I think that's important even though it had been reduced (boo). (Part II)</p>	<p>There is still a minimum caliper requirement for trees planted to meet green area (20.15) frontage tree planting (20.16) and tree planting (20.17) depending on the project and the nature of the standard. The second draft did not reduce any of the caliper requirements for tree planting from what was proposed in the first draft.</p>	No
6/28/2022	Article 20	<p>As well, in reference to pruning/care (per the Arborist) section, why are Duke Power/Asplundh not held to these standards? Can that be added? The butchery they do on trees is a horror show. Half the time it seems that they should have just taken down the entire tree versus the hacked up version they leave behind. (Part III)</p>	<p>Utilities are permitted to trim city street trees in accordance with agreements between the City and the utility provider. This allowance will be included in the Tree Ordinance outside of the UDO as this pruning activity is not a development activity subject to the UDO.</p>	No
6/28/2022	Page 15-54	<p>page 15-54. 2nd draft- 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: There are still homes with less than 1000 square feet of total floor area in Charlotte. Many are between 700-900 sq.ft. Some are still in desirable neighborhoods. Allowing residents whose homes are less than 1000 sq. ft. to build a 500 maximum square feet ADU would allow the ADU to have a bedroom which could increase affordable rental units in Charlotte. This change could help lower income residents build an ADU to bring in rental income. There are many homes who have large garage/mother-in-law suites which go unused/unrented. These are often larger than 1000 square feet.</p>	<p>The approach to ADUs in the draft UDO is different than the regulatory language for ADUs in the current Zoning Ordinance. For example, ADUs will now be allowed on properties with duplex development so long as the dwelling units are not on their own sublots; the square footage allowance has been adjusted; the setback requirements have been relaxed.</p> <p>It is the city's desire that this improves the ability for the construction of ADUs. However, staff will continue to evaluate the effects of these adjustments going forward to determine if they have the desired result or if there are additional opportunities for adjustments to further spur ADU development to help mitigate affordability issues and dwelling unit needs throughout the city.</p>	No
6/29/2022	21.2(C)	<p>if a lot has multiple frontages, the primary designation could be determined by length not which frontage is most applicable for loading from a safety and traffic volume standpoint. There should be flexibility for lots with multiple frontages; and possibly discourage loading on 4+ lane blvd. or arterials but primary is too restrictive in an individual site context without understanding the network around each site.</p>	<p>Per Article 3.5.C, for lots with multiple frontages, the primary frontage is the longest frontage if none of the frontages are designated as a primary frontage type. The frontage approach was developed with the establishment of the new TOD districts and staff believes that it should be retained.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/29/2022	Article 20 (Also 31?)	Encourage the City to put in tree protections for “paper streets,” or unapproved rights-of-way as they do with approved rights-of-way in the UDO. Would like to see the adaption of paper streets as environmentally protected areas which adhere to the heritage tree and Tree Ordinance standards.	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.	No
6/29/2022	19.5	Article 19.5 - Missing language to mitigate noise and light pollution of parking structures next to residences. Would like to see the City consider adding in details on how to lessen these effects through specific guidelines for developers.	Article 16.2 regulates exterior lighting which limits the maximum foot candles at the property line. Article 19.7 also requires all levels of a parking structure be screened by a wall or panel at least 42" in height, which is designed to limit vehicle headlights spilling beyond the structure. Noise pollution is addressed by Section 16.7 or by the City's Noise Ordinance.	No
6/29/2022	20.14	Article 20.14 - NOT in support of heritage tree removal permits that will allow removal in all cases. would like to see the final version of the UDO go back to the original standard outlined in Draft 1: “Preservation of Heritage Tree required unless there is no other reasonable location.” There should be no tree removal fee reduction for the planting of new trees. Strong disincentives are necessary to maintain the existing mature tree canopy. Funds from these fees are important to support the Urban Forestry Department.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/29/2022	Article 20	Article 20 - Missing language for the protection of heritage trees on paper streets. Urging the city to please consider protecting these trees as they do on city property.	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.	No
6/29/2022	19.2	Article 19.2 - Support parking reductions for significant trees.	Thank you for your comment.	No
6/29/2022	20.18.D	Article 20.18.D - Fully support the Tree Conservation Fund, the Street Tree Planting Fund, and the Canopy Care Fund	Staff has noted and recorded your comment.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/29/2022	Page 15-41	Page 15-41, item 6 states unilaterally that Off Street Parking shall be retained for commercial properties. In order to meet the 2040 SMP, parking spaces need to be removed to encourage other forms of transit.	Neighborhood Commercial Establishments are located in lower-density Neighborhood 1 place types. Many individuals require vehicles for mobility, even within their own neighborhoods, because of permanent or temporary disability or other reasons. If existing parking spaces are removed, vehicles would need to try to find nearby on-street parking or elect not to patronize the business. The first scenario would use on-street parking that neighborhood residents need and rely on, and the second would diminish the economic viability of the Neighborhood Commercial Establishment.	No
6/29/2022	20.14	Article 20.14 - No tree removal fee reductions for planting of new trees - strong disincentives needed to keep our canopy!	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/29/2022	16.4	Article 16.4 - Not in favor of allowing of heritage trees for affordable housing development allowances. Protecting our tree canopy provides a better environment for all residents, including the residents of affordable housing. City should work with developers to incorporate the existing tree canopy of heritage trees instead of allowing them to be taken down.	Section 16.4 does not provide allowances to remove heritage trees that are not already allowed in Article 20. Section 16.4 provides more flexibility for replanting.	No
6/29/2022	20.12.B.2.a.i.A	20.12.B.2.a.i.A Just a thank you for adding the verbiage on below-grade waste containers. Well done. :)	Thank you for your comment.	No
6/29/2022	19.1 & 19.3	Article 19.1 and Article 19.3 - Fully support enhanced measures to increase biking and electric vehicle infrastructure and required parking for EV charging.	Thank you for your comment.	No
6/29/2022	16.4	Article 16.4 - Fully support the incorporation of park and recreational elements in hopes of seeing more public green spaces in the city.	Thank you for your comment.	No
6/29/2022	16.4	16.4 Affordable Housing Development Allowances Section 3: "A new street, in whole or in part, shall not be required, per Section 32.5, if that street or a portion of such street does not provide access to the affordable housing development, as determined by the SSI Administrator, and that street does not connect to an existing street on abutting property. In lieu of construction of the street or portion of such street, the right-of-way shall be dedicated for future construction of the street or portion of such street."  Comment: Wording that covers bike/pedestrian and greenway connections would be helpful if they exist or are planned. Right-of-way dedication would also work.	The referenced section includes right-of-way dedication which would allow construction of pedestrian and bicycle facilities if they are a priority.	No
6/29/2022	16.5	16.5 Affordable Housing Development Allowances. A.6 of the new draft the city staff added: "Where mitigation is required for removal of heritage trees, planting of twice the number of required mitigation trees shall be allowed in lieu of the mitigation fee per Article 20. The mitigation trees may also be counted towards perimeter tree plantings per Section 20.17.C when they meet all perimeter tree planting requirements".  Comment: We think it would be important to specify that the tree replanting should take place in the same areas where the trees are removed so that the local community will experience the direct benefits of the replaced trees (ie, shade, mitigation of urban heat island effect).	Mitigation tree planting is required to be on the property from which a heritage tree is removed.	No



Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/29/2022	Table 19-1	<p>Part 8. General Development Zoning Standards - Art. 19. Off-Street Vehicle &amp; Bicycle Parking - Table 19-1: Vehicle Parking Requirements. "Minimum Applies only when within 200' 400' of a Neighborhood 1 Place Type"</p> <p>Comment: In Tier 3, where uses within 200' feet from the N1 types of neighborhoods required minimum parking, that distance has been increased to 400'. This increase from 200' to 400' near our transit stations has severe consequences and impedes building an environment inclusive for non-motorists. We request that this not apply within a ¼ mile of a rapid transit station, especially with restaurants/bar uses.</p>	<p>In many locations, Neighborhood 1 Place Types are within 1/4 mile of a rapid transit station. Staff believes that the identified uses should provide a limited amount of parking when close to the N1 Place Type and does not recommend a change.</p>	No
6/29/2022	Table 19-1	<p>Table 19-1: Vehicle Parking Requirements - Uses Dwelling – Multi-Family Also applies to the residential component of mixed-use development:</p> <p>Comment: Again, in the neighborhoods that fall under Tier 3 parking requirements, the developer would have to provide at least one parking spot per dwelling unit. We think one parking spot per dwelling unit close to the TOD is excessive. We request that this rule doesn't apply to any land uses located within ¼ of a mile from the light rail stations.</p>	<p>The second draft UDO has been amended to allow development, regardless of its zoning, that occurs within 1/2 mile of an existing rapid transit station to use the Tier 3 parking requirements (typically no minimums) unless the development is in a Neighborhood 1 place type. (Reference Article 19.2.H) Staff believes this approach is appropriate at this time. Parking standards will be reevaluated over time as the community evolves.</p>	No
6/29/2022	Table 19-1	<p>Table 19-1: Vehicle Parking Requirements - Waste Management Facility + Recycling Collection Center-</p> <p>Comment: In Tier 3 increase the Maximum to 1/500 sqft from 1/250 sqft for both.</p>	<p>Staff does not recommend this change because the proposed standard would decrease the maximum parking allowed (from 4 spaces per 1000 sq ft to 2 spaces per 1000 sq ft) and is not consistent with other similar uses.</p>	No
6/29/2022	20.14	<p>20.14 Heritage Trees - Part 2 B 2b. "Heritage trees that are sufficiently diseased, injured, dead, or are in danger of falling shall not be required to obtain a City-issued tree work permit or mitigate the tree loss prior to removal. Trees removed without a permit due to health or hazard shall be either certified by an ISA-certified arborist or adequately documented through picture, video or other documentation prior to removal.</p> <p>Comment: Trees removed without a permit due to health or hazard shall be either certified by an ISA-certified arborist "or" adequately documented through picture, video or other documentation prior to removal. The "or" in the preceding statement is concerning (bolded with quotations). Our concern is that without a permit or a way of tracking dying, diseased trees, it could be exploited as a loophole to take down trees that are not in such conditions. No one will take a tree down alone, so an arborist or tree service would be involved. We propose filing a post-permit with appropriate proof in these cases. This would allow for fast action and not endanger property or persons but would provide accountability.</p>	<p>The intent of this provision is to allow homeowners to act with expedience in the instance of a tree being diseased or hazardous. The City must allow dangerous trees to be removed without a permit. If this provision is ultimately used to work around the heritage tree standard, staff will revise this language accordingly.</p>	No
6/30/2022	Article 16	<p>Allowing front-loaded garages is a blatant surrender to REBIC and their car-focused, low-cost demands. Please do better than this.</p>	<p>State law does not allow limitations on front-loaded garages.</p>	No
6/30/2022	Table 19-1	<p>I have made numerous comments on the parking minimums remaining for select uses "within 400' of Neighborhood 1 place type." This is just bad policy, and anyone engaged in urban planning should know this. Charlotte was built for cars, but we know this is not the best way to build our urban centers. When I asked about this, the official response I received was that they "don't want parking spilling out into the neighborhoods." That cannot be policy. That is taking the complaints of people who choose to live close to walkable areas, and requiring that those areas become less walkable. Yes, even requiring just a few spaces will make these places less walkable and waste land. Our neighborhood streets are loaded with free parking spaces that belong to the public, not to the adjacent homes. (Part I)</p>	<p>Many older established neighborhoods near centers or transit stations were developed without off-street parking and have no options other than on-street parking spaces. Requiring a minimal amount of parking for certain uses in close proximity to these neighborhoods will help preserve on-street parking for neighborhood residents. The feedback staff has received from residents in these neighborhoods does not suggest that "neighborhood streets are loaded with free parking spaces" but quite the opposite.</p>	No

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6/30/2022	Table 19-1	The second issue with this policy is the fact that it is targeted to specific uses that, aside from residential, serve alcohol. This is a public safety concern. Policy that enables impaired driving is bad for our collective health. Why not encourage ride-share somehow instead? The reason this doesn't make sense is that it was written for people who don't want other people parking in the asphalt in front of their homes. That is it. Making this policy is wrong. We should be better than this. (Part II)	This comment suggests that no one should drive to a restaurant that serves alcohol, and by extension no parking should be required for these uses. This would logically apply to all restaurants City-wide, even in areas not adequately served by transit. Staff is of the opinion that most people who drive to restaurants where alcoholic beverages are available do not become impaired nor do they create a public safety concern.	No
6/30/2022	Article 20	<p>Charlotte needs to Do a better job at protecting our most important resource our trees. Developers are exploiting Charlotte's weak tree regulations. They continue to cut all the trees down and plant a few non native tree species back. Completely ruining the local ecosystems and destroying life. Ruining our stream health and marking the area boring and ugly. Developers are making ridiculous amounts of money by disrespecting our forests and ecosystems. Even if trees are "dying" or "sick" there should still be a fee that is required to be paid to cut them down. These trees benefit our ecosystems. Make developers pay their fair share. Incorporating our existing trees should be a priority as well, in development. Why let developers take the easy way and clear cut everything. It's really shameful. We also need to focus on planting native tree species. These native trees are best acclimated to our climate. They also provide for "wildlife" and our "ecosystems".</p> <p>Non native trees including Chinese elm, and crape myrtle are way over planted. They are also taking away our from the charm of our area. Native trees provide a sense of community and pride in our area. These non native Trees continue to make the area generic. Where these trees are planted the city can be mistaken for any other city in the south east. Before we loose our greatest asset (our forests). Let's make developers pay their fare share. And protect our trees/ecosystems from complete destruction.</p>	Staff believes that the proposal in the second draft is an important step toward balancing the need for flexibility with the community desire to preserve and sustain our tree canopy. For instance, the proposed approach to heritage tree protection will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will continue to study and improve this article in the future once staff determines whether preservation standards should be increased.	No
6/30/2022	Article 20	I wholeheartedly support the focus on the protection, maintenance, and increase planting of trees in our city. And am glad this is reflected in Article 20. I encourage this team to increase all protections to ensure our green crown, a hallmark of our city for decades, is restored. Please do all we can to ensure that developers are prevented from clearing all trees from proposed work sites.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Staff have noted and recorded your comment.	No
6/30/2022	20.14	<p>I oppose the effective nullification of protection for 'Heritage Trees,' by insertion of the clause, "Removal allowed where there is a demonstrated conflict," rather than the prior, 'there is no other reasonable location.' This exception is equal to the totality of the rule. The ordinance (or laws of any sort, on any topic) only becomes relevant in situations where there is a 'conflict' between the preferred actions of the individual (in this case, the developer) and the public interest and wishes. The UDO appears to validate a developer's personal wishes by stating, 'A documented and confirmed conflict may include but not be limited to the location of structures,' which of course is what developers do. To assert that 'Heritage Trees' need not be preserved where they conflict with a developer's wishes, is equal to asserting that the ordinance does not exist, and is only a polite suggestion to developers. There is no reason to believe that such a vacated ordinance will effect any reduction in the terrifying loss of large trees or tree cover generally in Charlotte.</p> <p>The conspicuous phrase change at the beginning of the tree preservation section, 'Heritage trees shall be protected to the greatest extent possible,' deleting the previous 'at all times, subject to the requirements of this Article,' appears to signal a surrender by the City and acceptance of tree loss. The following, 'Heritage trees shall may be removed when a City-issued tree work permit is requested and approved,' replacing the previous negative formulation '...shall not be removed unless...' also appears to forfeit the city's agency and interest in protecting trees. The UDO summary also shockingly states, 'When homeowners are making decisions to remove trees outside of the development process, the second draft continues to require a permit for heritage tree removal. However, permits will allow removal in all cases.' In lieu of the global biological meltdown and rapid climate overheating now underway, and accordingly high value of our remaining trees, I urge reversion to the prior statement. The city has a fundamental right and interest in compelling landowners not to destroy large trees on existing home lots, and the change to the UDO second draft is wrong.</p>	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/30/2022	20.15	I oppose the greater allowance for developers to simply donate money to the Parks & Recreation Department in lieu of actually meeting on-site open space requirements. There is no means of assuring that the money will tangibly mitigate or 'offset' the destruction of green areas by the developer. More perniciously, there will exist a long-term political tendency for these fees to substitute for, rather than augment, the Department budget, leading to a regression to the familiar pattern of token preservation amid a sprawling carpet of destruction, rather than any substantive, meaningful preservation of Charlotte as an ecological whole. More broadly, the notion of 'offsets' falsely implies that the purpose of the UDO is to maintain some sort of net-zero-impact paper accounting within the area under Charlotte's jurisdiction, rather than protecting the integrity of neighborhoods, watersheds, and the aesthetic circumference for people and wildlife alike.	Staff will continue to work with Mecklenburg County staff to ensure that any fees collected will be used to expand the park system which is the intent of this option.	No
6/30/2022	20.2	I am glad there is a provision in there for increased species diversity! I think there should also be mitigation requirements for dead, diseased, and hazardous trees under the Land Development Heritage Tree Protection section.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	20.14.B	20.14.B – Please save our heritage trees. Do not allow specimen trees to be saved in-lieu of mitigation payment. Mandate that all specimen trees have to be saved unless there is no alternative. Then assign a cost based on the realistic replacement of a tree of the same age and size as the one being removed.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	Article 20	Regarding article 20, I am strongly opposed to allowing the removal of "champion trees". This will destroy neighborhoods.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	Article 20	I would like there to be a rule that one cannot clear cut every tree from lot line to lot line. Trees within 10 ft of line should be left.	Staff interprets these standards as sufficient to meet the purpose and intent of the tree protection sections of the UDO. Preservation of existing trees is required in many instances through green area requirements in Section 20.15. In addition, the new heritage tree preservation standard provides additional protection for large mature trees located outside of the proposed development area of a site.	No
6/30/2022	Page 16-7	page 16-7. there is no Affordable Housing Fee Schedule except in a powerpoint not available to the public- either insert the concept or provide the Schedule in supporting documents	The affordable housing fee schedule will be included in the next draft.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/30/2022	Article 20	page 20-18, 20-19, 20-24 the following are in the UDO as requirements but do not exist, and are not in the Supporting Documents. The information necessary to review the UDO is not available. Charlotte Tree Manual Penalties (page 20-18), impacts allowed to CRZ (#4 top of page 20-19), Mitigation standards & fee schedule (20-18) Conditions of the Special Agreement between City & Park in Rec (page20-24)	Staff is in the process of developing this guidance and will continue to share all available supporting documents once available.	No
6/30/2022	Page 20-36	page 20-36 appeals reference #E2 to Article 38 but reference is wrong. Article 37 is correct	This change will be made in the next draft.	Yes
6/30/2022	Article 20	Article 20- I believe that builders are removing heritage trees and willing to pay the fines, as the fines are too low. If a builder wishes to clear cut all, or a portion of vacant land, the fine needs to be at least \$2500 per tree, with an escalation of the fine based on the trunk circumference. Paying a \$1500 fine per tree, and then planting a 4' sapling (to replace a healthy 80 year old white oak, ginkgo or magnolia) is an inexpensive decision for builders.  We are permitting the needless destruction of the tree canopy and adding to environmental issues by permitting the destruction of heritage trees, particularly when in-fill construction occurs.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	Article 20	Article 20 tree canopy should be enforced and widen to require more trees in the city please. Trees are needed to fight climate change	The UDO proposes additional tree planting and preservation requirements that exceed the required tree planting under the current Tree Ordinance. Staff does not recommend increasing these requirements.	No
6/30/2022	Article 20	Please require more trees planted in city to fight climate change.	The UDO proposes additional tree planting and/or preservation requirements that exceed the required tree planting under the current Tree Ordinance. Staff does not recommend increasing these requirements.	No
6/30/2022	20.14	My comment is specifically regarding Article 20 Section 14; the update to Heritage trees.Regarding this update: based on factually based independent research, Charlotte is already losing it's tree canopy at alarming rates.The proposed revision will only accelerate the issue to the detriment of our community.We as a community should be putting more safeguards in place for one of our most valuable resource not less.I am extremely concerned and disappointed by the proposed revision. Please reconsider.	The heritage tree standard is a new requirement that is not in the current tree ordinance. Staff believes that, as proposed, this additional requirement will help preserve tree canopy and ensure that tree canopy lost will be replanted to ensure greater tree canopy in the future.	No
6/30/2022	Article 20	Tree Save I think this area needs to be made tighter, not allow for clear cutting. One of the issues many residents have is when green space is limited between developments because builders are both claiming the same tree save area but it's actually part of someone's property lines or just outside within 10 feet. We do need to leave room for canopy growth and are not getting close to it in new neighborhoods when clear cutting is part of the building process. Why are inspectors not on site prior to clear cutting? This might encourage more heritage tree save.	Urban Forestry staff review and conduct site visits to ensure proper tree protection is in place prior to tree removal in development. Staff believes the second draft UDO proposes several improvements that will increase the amount of tree preservation while also balancing the need for flexibility in some development scenarios.	No
6/30/2022	Page 15-34	Page 15-34: Prescribed Conditions for Townhome. 150' max for Townhomes in violation of NC GS 160D-702. "Bulk" can be regulated in 160D-702. Websters dictionary says Bulk is: "not divided into parts or packaged in separate units", but there is no authority for municipalities to regulate the size of a single-family dwellings even with the reference to "bulk." City cannot dictate the maximum length of a building if the lot size (setbacks, buffers, and such) is large enough. Same aesthetic articulation standards on chart page 5-6 (line B) and page 4-6 chart under E contains Articulation requirement with maximum length  In most instances, a triplex is a 3-unit townhome and a quad is a 4-unit townhome so imposing a length requirement on a 'Townhome' does not make sense.	Per 160D-702(a), zoning regulations "...may regulate and restrict the height, number of stories, and size of buildings and other structures..." There are exceptions in subsections (b) and (c) but none apply to townhouses. Staff believes 160D does not preclude the regulation of the length of a townhome building, as it would fall into the category of "size".	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/30/2022	Article 15	Our community is outraged, extremely disappointed and feels completely unrepresented by the gross act of removing the Short Term Rental Article from the UDO. We will understand which parties are responsible for the removal of the Article and inaction and vote accordingly during the next election cycle. Please consider making the Short Term Rental problem a priority to address and stop caving in to the LOUD minority, their lawyers and lobbyists.	At this time the City Attorney's Office has advised staff to remove language regulating short-term rentals from the draft UDO due to legal uncertainties. If/when the legal and legislative uncertainties surrounding this type of use becomes more clear, the City Attorney's Office will work with staff to develop appropriate standards.	No
6/30/2022	Page 15-34	page 15-34 Prescribed conditions on a Dwelling - Quadraplex A quadraplex is a "townhome with 4 units" (not 5) so why the restriction that it must be on an Arterial in N1? what purpose is furthered by allowing triplex but not quad's if the lot width allows? I feel that the Charlotte UDO should include additional restrictions on restaurant / bar use adjacent to Neighborhood 1 (residential) zoning district. These requirements would be located in Article 15.4.XXX.	This standard for a quadraplex is based on Policy 2.1 of the Comprehensive Plan.	No
6/30/2022	Article 15	<p>First, there is no difference between a restaurant where food is primarily served and bar/tavern where drinks/alcohol is primarily served. This designation is important when considering the use and separation requirements for different zoning districts. Second, there are no separation requirements between restaurants and bar/taverns and neighborhood (residential) zoning districts.</p> <p>Charlotte adopted a text amendment 2013-090 in July 2014 to define eating, drinking and entertainment establishments. (EDEE) Two types were defined, Type I were establishments that did not sell alcohol and Type II, establishments where they did not sell alcohol. It created separation requirements based on hours of operation and the presence of outdoor entertainment.</p> <p>The process included a significant amount of work by the planning staff with extensive research on the subject and a lot of community input with over 10 meetings with the public over the period of three years. A survey was done of 20+ metropolitan areas from Atlanta to Washington, DC and a majority had separation requirements from residential districts for restaurants and 75% had separation requirements from bars to residential districts. Even recently developed UDOs are making the differentiation between bars and restaurants and have separation requirements such as Raleigh's UDO.</p> <p>The process resulted in a 36-page text amendment to the zoning code that includes requirements for separation distances, outdoor dining, and hours of operation to minimize conflict between EDEEs and their surrounding properties.</p> <p>My recommendation is that Charlotte planning department do a similar survey of the how other cities regulate restaurants and bars adjacent to residential properties and present this information to the public so that we can see how the new Charlotte UDO will compare on this issue.</p> <p>In addition, I recommend that the Charlotte UDO include separate definitions between bar/tavern and restaurant. The UDO could reuse the Type I and Type II definitions from the 2014 text amendment or use a simpler definition such as "bar: an establishment where more than 70% of its income is from alcohol."</p> <p>Finally, I recommend that there is a minimum separation distance established between restaurants and especially bars/taverns of</p>	The UDO eliminates the differentiation between the various types of EDEEs to simplify and modernize the ordinance. The impact of such uses on nearby neighborhoods is primarily related to noise. The UDO restricts the hours where restaurants and bars may have open windows or serve outdoors when within 100 feet of a Neighborhood 1 lot line.	No
6/30/2022	Article 20	Charlotte heritage trees should be preserved at all costs. It is not enough for the developers to simply pay a small fine for the removal of a mature tree and plant a small tree somewhere as compensation. Charlotte is known for it's tree canopy. With the immense growth Charlotte has it is essential for our trees to remain to combat all the cars and carbon monoxide that come with growth. It should be very very hard for anyone to cut down a mature tree in Charlotte. The developers can start by putting a reasonably sized structure instead of the development that is allowed now in Charlotte, when they tear down a smaller house, then they won't need to cut any trees. Please vote to save our trees and Charlotte	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No

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6/30/2022	Article 20	Suburban projects (multi-family N2 and single family N1) essentially have to provide on-site tree save, with limited open space overlap, and no guarantee you can remove trees and 're-plant'. So, if the trees are located in the middle of the parcel, it is a staff call whether you can remove those and replant along the edges.	The current tree ordinance does not allow residential subdivision sites to remove trees and replant them as a standard option. Providing this staff review and approval is an additional measure of flexibility for instances where the location of trees create undue challenges. In addition, the majority of Charlotte's tree canopy loss occurs on these types of sites. Staff would not support revising this standard further than what is proposed in the second draft.	No
6/30/2022	Article 20	Remove Footnote #1 in Table 20-5 to allow any project to replant tree save at 150% the required area. We do not want to have the Chief Urban Forester make individual project determinations for every situation. Current ordinance allows for this provision.	Footnote 1 will not be revised in the next draft as this requirement largely mirrors the current standard. The current ordinance allows trees to be planted for mitigation "where the existing tree canopy must be removed due to conflicting design criteria or hardship approved by the city" at 150% for single family subdivision sites and all sites located within a "wedge". The UDO uses different language but maintains that approval from the city must be granted before trees are removed.	No
6/30/2022	Article 20	Tier 3 & 4 are essentially the exact same, recommend combining and ONLY including N1, Parks & Preserve, N2-A, CG, CR. Allow for land dedication, amenitized tree areas (ratio 0.5)	The majority of Charlotte's tree canopy loss is occurring on these Tier 3 and Tier 4 sites and staff does not support adding additional flexibility for these sites. In addition, the differentiation of Tier 3 and Tier 4 is important to maintain due to unique requirements for tree planting in Section 20.17 in addition to the park land dedication option established in the green area credits table in 20.15.	No
6/30/2022	20.14	In section 20.14, I believe the language should revert back to draft one in order to provide more protection to heritage trees. All over the city I've seen beautiful, old trees cut down to make way for an empty back yard or apartment complex. The city needs to stand up for what makes it special - a tree canopy that attracts wildlife, cools temperatures in the summer, and provides color and life for our neighborhoods. Giving developers an option to cut down these trees so they can increase their profits is leading to a sad future for our city. (Part I)	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	20.14	I also believe the tree removal fee should not have a reduction option. Planting a new tree is very different than preserving a tree that needed decades to grow to its current size. I am actually in favor of a significant fee increase (\$5,000 - \$10,000 feels appropriate) in order to convince developers with the only thing that's important to them - the impact to their bottom line. We will never stop losing heritage trees until it is no longer financially beneficial for a developer to cut them down. I do agree with the exception for dead or diseased trees. We need to focus our efforts on the trees with the best potential for long term value to the city. (Part II)	The fees for heritage tree removal were increased for land development scenarios in the second draft. Staff believes this approach is a good first step and we will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	20.18	Finally, I do support the tree preservation funding outlined in section 20.18. Anything we can do to help recover from the tree loss of the past few years will only serve to benefit Charlotte in the future. (Part III)	Staff has received and noted your comment of support.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/30/2022	20.14	20.14 - I have been a volunteer now for about three years on the Treasure Tree Committee, reviving the Treasure Tree Program here in Mecklenburg County. I've read through all of the dramatic changes in this section related to Heritage Trees, and the lack of oversight here in the new draft is extremely concerning. I've seen what lack of oversight results in with Heritage Trees on private property. Just this year, a Willow Oak with circumference of more than 20 feet was simply removed after the sale of the home. Not for expanding the home or building any new structure, either. After removal, it was very clear the tree was healthy with no central trunk rot or decay. The crown spread was nearly 120 feet as well, so every bit of that canopy shade was lost. Every bit of the benefit to birds and small mammals was lost. All of the connected mycorrhizal fungi was just ripped away with the root ball after it was ground to a pulp. When you use a term to protect these trees "to the greatest extent possible," that means absolutely nothing to a property developer or a homeowner. All they need to say is, "we tried." I only ask that you strengthen the wording in this portion of the UDO to remove loopholes. If you use vague wording, any lawyer can find a way to get a homeowner or developer out of any fines or remediation as a result of just cutting down a Heritage Tree.	A major component of this approach is to increase funding and staffing for the enforcement of these provisions. The new requirement to apply for a permit to remove heritage trees (whether land is being developed or not) will result in increased funding, staffing and greater enforcement to ensure these heritage trees will be better protected. Staff has analyzed the economic impact of the first draft proposal and heard comments on both sides of this issue during the first draft engagement phase. Staff believes that the second draft standard balances flexibility and the community desires to preserve trees.	No
6/30/2022	Article 20	The UDO should allow for the zone between building and back of sidewalk to count as open space if designed to meet the open space requirements and amenitized. The draft ordinance pushes for buildings close to the street in a build to zone, but then in some districts requires large setbacks which create a dead zone between sidewalk and building that is unusable for building, parking, open space, etc. Staff has confirmed this can be used for open space; but we still need to clean up the language that requires open space to be 'bounded' by a building in the definitions to count this zone as open space.	The area between a building and back of sidewalk will be able to be counted as open space as long as it meets the open space requirements. Open space does not have to be bounded by a building unless it is being counted toward a build-to zone.	No
6/30/2022	Article 15	Permit Healthcare Institutions up to 50,000 sq feet inclusive of overnight stays in the OFC district.	The ordinance will be changed to allow healthcare institutions up to 25,000 sq ft in the OFC district.	Yes
6/30/2022	Article 15	Permit medical, dental and individual office buildings (not limited to "office campus") in the OFC district.	The office campus definition will be updated to clarify that medical and dental offices are allowed. The definition, as currently written, does not preclude individual office buildings.	Yes
6/30/2022	Article 15	Permit the use of additional commercial & institutional uses in the OFC district (fitness, financial institutions, R&D, childcare, educational).	Based on current definition, these uses will be allowed if they are supportive of the campus intent.	No
6/30/2022	Article 15	Clarify that residential uses are permitted within campus districts as stand alone/individual developments through more clear definitions.	Residential uses are allowed in the Campus districts according to the campus uses allowed in each district. They are intended to be a component of a primary campus use such as an education facility with dormitories.	No
6/30/2022	Article 15	Simplify the definitions for Townhome / Multi-Family Attached. Both appear to reference 5 or more attached units.	Townhouses (on sublots) and multi-family attached (on a single property) are treated differently by Building Code and State Statutes and therefore are defined differently in the UDO.	No
6/30/2022	Article 15	Permit additional commercial uses in ML-1(art galleries, car washes, animal care, etc)	Staff does not believe the listed uses are consistent with the ML-1 district intent and ML Place Type, and does not recommend changes.	No
6/30/2022	Article 15	Permit hospitals in additional districts.	Staff believes that hospitals are allowed in the appropriate districts, consistent with the Place Types which are the basis for the UDO zoning districts.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to UDO?
6/30/2022	19.3	While different from the previous draft, the electric vehicle parking requirement is still incompatible with the market. I would recommend an initial threshold of 10% for a period of five years with a commitment to revisit and increase that threshold based on changing market conditions. Currently, well less than 1% of vehicles registered in North Carolina are electric cars. It is not likely this figure will jump to 20% of all vehicles on the road overnight, especially considering the average base model is now priced in excess of \$50,000.	Current estimates are that 3% of multi-family residents need charging facilities for electric vehicles. The draft UDO requires actual installed EV charging stations in multi-family development for 2% of the provided spaces. The 20% EV-Capable requirement is simply to reserve space in the electrical room for future EV charging and a raceway to future EV parking when demand increases.	No
6/20/2022	20.14.B.5	20.14.B.5. This language implies that private homeowners may be subject to penalties for pruning Heritage Trees on their property without a permit from the City. This section needs to be clarified, as it potentially represents a potential violation of private property rights.	This standard would require homeowners to apply for a permit for pruning of heritage trees to ensure pruning is conducted according to industry standards and to protect the health of the tree.	No
6/30/2022	Article 19	We are in support of the enhanced measures to increase biking and electric vehicle infrastructure (Article 19.1) and required parking for EV charging (Article 19.3)	Thank you for your comments.	No
6/30/2022	16.3	We support the New Bonus Menu options including affordable housing at 60% of area median income (AMI), inclusion of EV charging stations above the number required, and bonus points for LEED standards. (Article 16.3). We would encourage the City to require more development to build sustainably and to continue to focus on expanding affordable housing.	Staff will monitor the success of these incentive programs and consider ways to enhance them in the future.	No
6/30/2022	16.4	With the greater incorporation of park and recreational elements (Article 16.4), we hope to see more public green spaces within Charlotte and our NoDa neighborhood. We believe that allowing the donation of this land to the City allows development flexibility while also providing a great benefit to the neighborhood.	Thank you for your comment.	No
6/30/2022	20.18.D	We are in support of the Tree Conservation Fund, the Street Tree Planting Fund, and the Canopy Care Fund. (Article 20.18.D) We believe in protecting our tree canopy and allowing for these areas of funding will be a great asset to that cause.	Staff has received and noted your comment.	No
6/30/2022	19.5	We are concerned over the missing language to mitigate noise and light pollution of parking structures next to residences (Article 19.5). We would urge the City to consider adding in details on how to lessen these effects through specific guidelines for developers.	Article 16.2 regulates exterior lighting which limits the maximum foot candles at the property line. Article 19.7 also requires all levels of a parking structure be screened by a wall or panel at least 42" in height, which is designed to limit vehicle headlights spilling beyond the structure. Noise pollution is addressed by Section 16.7 or by the City's Noise Ordinance.	No
6/30/2022	16.4	Removal of heritage trees for Affordable Housing Development Allowances (Article 16.4) should not be allowed. We believe in protecting our tree canopy and our heritage trees and therefore cannot support allowances to remove these trees. We encourage the City to work with developers to incorporate our heritage tree canopy into their designs instead of removal.	Section 16.4 does not provide allowances to remove heritage trees that are not already allowed in Article 20. Section 16.4 provides more flexibility for replanting.	No
6/30/2022	20.14	We are not in support of heritage tree removal permits that will allow removal in all cases. We would like to see the final version of the UDO go back to the original standard outlined in Draft 1: "Preservation of Heritage Tree required unless there is no other reasonable location." (Article 20.14) We also believe that there should be no tree removal fee reduction for the planting of new trees. Strong disincentives are necessary to maintain the existing mature tree canopy. Funds from these fees are important to support the Urban Forestry Department.	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No



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6/30/2022	Article 21/31	We would also encourage the City to put in tree protections for “paper streets,” or unapproved rights-of-way as they do with approved rights-of-way in the UDO. We would like to see the adaption of paper streets as environmentally protected areas which adhere to the heritage tree and Tree Ordinance standards, as they play an important role in our tree canopy in NoDa.	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.	No
6/30/2022	Article 20	20.15 gives me hope that the City means business in setting out regulations to reverse the rapid destruction of our tree canopy. Then I read further and see the alterations in language beginning on 20.18 and feel discouraged that this initiative is being controlled by developers with an interest in making building as simple as possible. Please review your wording and make the regulations more consistent with what you profess to have as your core intent for actually protecting trees. Why has Draft 2 removed so many good elements of tree protection policy? These policies should serve as a deterrent for developers who think completely razing a plot of land is the only way to approach a building project. I find this disgusting and lazy... and it is not enough to mitigate tree destruction by planting a baby tree that may be poor quality or poorly planted and thus will die quickly (but too late for it to be of any consequence to the developer). This seems an insufficient response, and penalties should be ramped back up to let developers know that this is serious and that Charlotteans want our shade trees to remain. Summers are getting unbearably hot, and these trees provide important services to us and our property, but sadly too few people understand this.	Staff is unclear what specific change is being recommended by this comment. Staff has tried to strike a balance between the need for flexibility with the community desire to preserve and sustain our tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	20.14	The 2nd draft only makes it easier for developers to get rid of Heritage trees. I disagree with this and believe that we need to do everything we can to preserve our canopy! Strongly disagree with proposed draft!	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	20.13 and 20.14	<p>Concerning Article 20.13 and 20.14</p> <p>In the grand scheme of things, I question if the fines proposed for developers removing trees will be much of a deterrent. As it is cheaper and easier to clear cut a lot, than build around existing trees, that savings would negate much of the penalties proposed. Builders can absorb the cost of fines in projects and probably write them off as expenses.</p> <p>Developers who have completely cleared lots and defaced neighborhoods are not homeowners – they are not residents. They are builders, building to make money. That’s great – make it, but not at the expense of the environmental health of the city. This is disruptive to air and water quality, temperature control – everything pointed out in 20.13B that “tree protection standards” are set to promote.</p> <p>It might be of benefit to give builders who recognize these concerns big incentives to leave natural areas; (e.g., tax breaks). Preserving areas means money they are not making, but to continue to allow destruction of so much is at the community’s expense. In my area, there have been acres of woods completely wiped out to cram as many houses in as possible. The developer certainly made out well. The neighborhood, not so much.</p> <p>It seems the City’s gain in the proposal is to pad a tree fund for planting and to keep count of the dwindling tree population. That doesn’t protect trees. Even the “replacement” tree proposal is slight. “\$1500/tree removed + 1 tree planted. Each additional tree planted reduces fee by \$250.” Seriously? Huge trees replaced by small is not in balance.</p> <p>I hope I’m very wrong, but I don’t feel the proposed measures will be enough to preserve much of our tree canopy.</p>	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No

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6/30/2022	16.5	open spaces are no longer open spaces....natural area are continually getting compromised to give flexibility to developers. Open space requirements and tree save should be separate and not count towards one another. If there is a separate requirement for open space and a separate requirement for those listed in 16.5.a.3 then they should both be required separately (and not count towards each others requirements.)	The UDO open space standards are typically greater than those in the current ordinance, especially for usable open space. Staff believes it is reasonable to allow open space and tree save to overlap if the objectives and standards of both can be met.	No
6/30/2022	20.15 C and D	20.15 C and D. I am not sure why redevelopment is removed. I hope redevelopments will have requirements for green space and trees!	The use of the term "redevelopment" was removed from this section because the definition of the term "development" includes redevelopment. Staff are not reducing any standards in this change, only removing a redundancy.	No
6/30/2022	20.14	20.14 Although most Charlotteans would agree that protecting our city's tree canopy is a worthy endeavor, the proposed regulations in the UDO 2nd draft regarding Heritage trees is misguided and will hurt the "heritage citizens" of Charlotte. The proposed permitting fees and mitigation requirements will disproportionately affect Charlotte legacy parcels, and therefore disproportionately affect the seniors that own and live on them. The burden will not be borne by those that live in the many post-2000 era subdivisions/developments in our city. For illustrative purposes, Charlotte's Double Oaks neighborhood comes to mind: a historic tree-lined neighborhood of small older homes (many of which are occupied by life-long senior residents of Charlotte). I picture small house after small house with that one massive oak tree in the front of the house. Are we really going to ask these residents to carry the burden of protecting our canopy? The proposed regulations would surely send any would-be home buyer packing and hurt the home values of those least able to absorb it. Let's concentrate on having deep-pocketed developers lead this charge by expanding planting and green space requirements for new developments. Trees of over 30in in diameter are often over 60 years old. This is nearing the end of the expected life of many species of native trees. The currently proposed plan is short-sighted in that respect. Let's require developers to invest in the future of Charlotte's tree canopy.	Staff has proposed a two-tiered fee structure for heritage tree removal that would reduce the financial burden on homeowners removing a heritage tree without also developing land. Homeowners would be required to pay a \$500 fine and plant one tree to remove a heritage tree. This fee can be reduced to \$0 if two additional trees are replanted. Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy.	No
6/30/2022	20.14	It is very obvious that any teeth with Charlotte maintaining the heritage trees was lost with this revision. Charlotte continues to give developers leeway and "flexibility" in the name of "process". We are losing our trees at an alarming rate especially our heritage trees. Please put the that trees of a certain caliper cannot be removed as was listed in 2.23	Staff believes that the proposal in the second draft balances the need for flexibility with the community desire to preserve and sustain our tree canopy. Taking this approach will allow staff to track and better understand the location and impact heritage trees have for residents and Charlotte's tree canopy. Staff will study this further in the future to determine whether preservation standards should be increased.	No
6/30/2022	Article 20	The Tree Save area shouldn't be compromised by allowing other things to count toward tree save. Developers are continually getting breaks on their requirements instead of the city holding them accountable and making them stick to the requirements. This city council has continually weakened the tree save area, please restore it.	Staff believes all the green area credit options will help to achieve the purposes and intent of the article. In addition, the UDO increases green area requirements for all sites. Currently, only 10% tree save is required for single family subdivision sites which would be increased to 15% green area in the UDO (which can be achieved by traditional tree save as an option). The payment-in-lieu value has also been increased in the UDO to require higher fees for developments using this option. In addition staff has introduced a multiplier to many of these additional options that requires developments to provide more area when using one of these green area credit options instead of traditional tree save.	No

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6/30/2022	Article 20	amenitized tree area - I would like to see the impervious area be at less than 10%. Impervious areas shouldn't be allowed in tree save areas.	In general, impervious area will not be allowed widely within tree save areas. Only sites with the option in Table 20 to use amenitized tree area may use this option to meet the green area requirement. Staff believes this option is important to ensure a balance between flexibility and the community desire to enhance and sustain our tree canopy.	No