



# Heritage Tree Preservation

UDO – Article 20. Landscape, Screening, & Tree Preservation: 20.14.B  
Charlotte Tree Ordinance – Section 21-8(g)

## Heritage Tree Standards

1. Applicability - heritage tree requirements apply to both development and non-development scenarios as specified in items 4 and 5 below, the UDO, and/or the Charlotte Tree Ordinance.
  - a. UDO - applicable to land development scenarios subject to UDO section 20.14
  - b. Charlotte Tree Ordinance - applicable to non-development scenarios in City limits
2. Definition
  - a. *Heritage Tree*. Any tree native to North Carolina per the US Department of Agriculture Natural Resource Conservation Service Plants [Database](#) with a DBH  $\geq$  30 inches.
    - i. Native North Carolina tree species exempt from heritage tree status:
      1. All ash species (*Fraxinus spp.*)
3. General Standards – apply to all heritage tree scenarios
  - a. No person shall dispose of or apply substances which are toxic to trees, within 15' of the trunk of heritage trees.
  - b. Topping of heritage trees is prohibited in all scenarios. Property owners will not be held liable for any pruning conducted by utility providers.
  - c. Heritage trees that are sufficiently diseased, injured, dead, or are in danger of falling may be removed per section 20.14.B.2 of the UDO or section 21-8(g)(2) of the Charlotte Tree Ordinance as applicable.
4. Non-Development Scenarios (Property Owner Decisions)
  - a. Heritage trees may be removed when a City-issued tree work permit is requested and approved. No removal activities shall commence until such permit is issued, any applicable mitigation payments have been received, and a planting plan has been approved.
    - i. Mitigation Requirements
      1. Fee - \$500 mitigation fee required for each heritage tree removed
        - a. Fee may be reduced \$250 for each additional mitigation tree planted
      2. Planting - plant 1 mitigation tree per heritage tree removed
        - a. Minimum of one (1) mitigation tree shall be planted on the property
        - b. Mitigation trees shall be a large mature species unless otherwise permitted per the City
        - c. All mitigation trees shall be a minimum of two-inch caliper unless otherwise permitted per the City
  - b. Property owners may have heritage trees, mitigation trees, and/or other protected trees on their property that may be protected as part of a previously approved development plan. Please see Charlotte Tree Ordinance section 21-8 Trees on Private Property for more information on maintaining protected trees and/or contact the CLT Development Center with any questions.

5. Development Scenarios

- a. These scenarios include: (1) active projects/sites currently within the land development permitting process and (2) projects/sites previously permitted that preserved heritage trees as part of a City-approved land development plan.
  - i. Mitigation Requirements
    - 1. Fee - \$1,500 mitigation fee required for each heritage tree removed
      - a. Fee may be reduced \$250 for each additional mitigation tree planted
    - 2. Planting - plant 1 mitigation tree per heritage tree removed
      - a. Minimum of one (1) mitigation tree shall be planted on the property
      - b. Mitigation tree shall be a large mature species unless otherwise permitted per the City
      - c. All mitigation trees shall be a minimum of two-inch caliper unless otherwise permitted per the City

6. Civil penalties

- a. Removal - Owners and persons who remove a heritage tree without a tree work permit (TWP) are subject to the following civil penalties:
  - i. Fine - \$200 per inch of diameter removed
  - ii. Re-planting penalty - five (5) trees to be planted on the violation site

Willful violation – penalties will be doubled in cases of willful violation