



Zoning Committee

## Zoning Committee Recommendation

Rezoning Petition 2019-104

October 1, 2019

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**REQUEST**

Text amendment to Article I, Section 21-2; Article IV, Section 21-93, 21-94, and 21-96 of the Charlotte Tree Ordinance; and Sections 9.8506, 9.906, 10.812, 10.907, 15.4.9 of the Zoning Ordinance

**PETITIONER**

Charlotte Planning, Design and Development Department

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Urban Forest Master Plan*, based on the information from the staff analysis and the public hearing and because:

- The plan establishes a goal to enhance Charlotte's tree canopy cover, which is a vital city asset that needs constant care and replenishment.

Therefore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing and because the text amendment:

- Defines urban zones and creates codified flexibility to allow better tree installation on densely developed sites.
- Requires accountability for all code required trees: No net loss of tree ordinance mandated trees.
- Provides alternative approaches for locating street trees when urban sites are constrained in right-of-way areas.
- Allows internal trees to be planted in alternative locations on the site, such as rooftops and raised plazas, where they are currently not permitted.
- Creates new amenitized tree areas as an optional incentive to provide urban tree canopy on site.

Motion/Second: McClung / Wiggins

Yeas: Gussman, Ham, McClung, Nwasike, Watkins, and Wiggins

Nays: None

Absent: Spencer

Recused: None

**ZONING COMMITTEE  
DISCUSSION**

Staff provided a brief overview of the text amendment and noted that it is consistent with the *Urban Forest Master Plan*. This amendment is limited in scope, and technically part of the Zoning Ordinance. It focuses on urban sites, and is an early phase of the Unified Development Ordinance (UDO).

A Commissioner asked about the descriptions of appropriate tree species. Staff responded that there is an approved tree species list that the Arborist's office will be updating in the future.

A question was asked about the public engagement process. What changes have been made in the process or text amendment based on public hearing speakers who stated they felt they had no voice in the process. Staff indicated that over 5,000 citizens were notified of the meetings. There was not feedback related to the text amendment itself, but rather feedback related to broader issues with loss of tree canopy overall in the community. There will be a follow-up meeting on October 10, 2019 for the public to voice concerns about the tree canopy.

Another Commissioner asked for clarification that this text amendment ensures creative and flexible ways to plant trees, so that there is not a loss of tree canopy or a loss of trees. Staff confirmed this.

A question was asked if the four percent number mentioned in the presentation included the Transit Oriented Development (TOD) alignment properties. Staff confirmed that it does include those properties.

A Commissioner asked if the text amendment changed the UMUD tree save requirements. Staff indicated that the petition does not add tree save to the UMUD district, which is currently exempt from this requirement.

There was no further discussion of this petition.

## PLANNER

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