

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE –ZONING ORDINANCE**

ORDINANCE NO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 15: SUBJECT INDEX

1. APPENDICES

a. Appendix 1: LIST OF ACCEPTABLE PLANT SPECIES.

1. Delete the contents of Appendix 1 as this list has been revised and incorporated into the Land Development Standards Manual as of 7-1-09. Add the term, "RESERVED" to reserve space for a future Appendix I. The revised Appendix shall read as follows:

APPENDICES

~~APPENDIX 1: LIST OF ACCEPTABLE PLANT SPECIES-RESERVED~~

~~Large Maturing Trees~~

<u>Botanical Name</u>	<u>Common Name</u>
Acer rubrum	Red maple Acer
saccharum	Sugar Maple
Amelanchier Canadensis	Serviceberry
Betula nigra	River birch
Carya illinoensis	Pecan
Carya ovata	Shagbark hickory
Carya glabra	Pignut hickory
Carya cordiformis	Bitternut hickory
Cedrus deodara	Deodar Cedar
Celtis occidentalis	Hackberry
Cupressocyparis leylandii	Leyland cypress
Diospyros virginiana	Persimmon
Fagus grandiflora	American beech
Fraxinus americana	White ash
Fraxinus pennsylvanica	Green ash
Ginkgo biloba	Ginkgo
Juniperus virginiana	Eastern red cedar
Liquidambar styraciflua	Sweetgum
Liriodendron tulipifera	Tulip poplar

<i>Magnolia grandiflora</i>	Southern magnolia
<i>Nyssa sylvatica</i>	Black gum
<i>Pinus echinata</i>	Short leaf pine
<i>Pinus nigra</i>	Austrian pine
<i>Pinus thunbergi</i>	Japanese black pine
<i>Pinus taeda</i>	Loblolly pine
<i>Pinus virginiana</i>	Virginia pine
<i>Platanus acerifolia</i>	London planetree
<i>Quercus acutissima</i>	Sawtooth oak
<i>Quercus alba</i>	White oak
<i>Quercus bicolor</i>	Swamp white oak
<i>Quercus coccinea</i>	Scarlet oak
<i>Quercus falcata</i>	Southern red oak
<i>Quercus laurifolia</i>	Laurel oak
<i>Quercus nigra</i>	Water oak
<i>Quercus phellos</i>	Willow oak
<i>Quercus borealis</i>	Northern red oak
<i>Quercus shumardi</i>	Shumard oak
<i>Quercus velutina</i>	Black oak
<i>Quercus virginiana</i>	Live oak
<i>Sophora japonica regent</i>	Japanese pagoda tree
<i>Taxodium distichum</i>	Bald cypress
<i>Tsuga Canadensis</i>	Eastern hemlock
<i>Ulmus parvifolia</i>	Lacebark elm
<i>Ulmus alata</i>	Winged elm
<i>Zelkova serrata</i>	Japanese zelkova

Small Maturing Trees

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acer campestre</i>	Hedge maple
<i>Carpinus betulus</i>	European hornbeam
<i>Carpinus caroliniana</i>	American hornbeam
<i>Cornus florida</i>	Flowering dogwood
<i>Cornus kousa</i>	Kousa dogwood
<i>Cercis canadensis</i>	Eastern redbud
<i>Crataegus phaenopyrum</i>	Washington
<i>hawthorne Eleganus angustifolia</i>	russian olive
<i>Eriobotrya japonica</i>	loquat
<i>Halesia carolina</i>	Carolina silverbell
<i>Hammamelis mollis</i>	Chinese witch hazel
<i>Hex fosteri</i>	Foster holly
<i>Hex opaca</i>	American holly
<i>Hex opaca hume</i>	Hume holly
<i>Hex x attenuata savannah</i>	Savannah holly
<i>Koelreutaria paniculata</i>	Golden rain tree
<i>Magnolia soulangeana</i>	Saucer magnolia
<i>Magnolia stellata</i>	Star Magnolia
<i>Malus floribunda</i>	Flowering crabapple
<i>Ostrya virginiana</i>	Ironwood
<i>Oxydendrum arboreum</i>	Sourwood

<i>Prunus cerasifera pissardii</i>	Purpleleaf plum
<i>Prunus serrulata kwanzan</i>	Kwanzan cherry
<i>Prunus subhirtella pendula</i>	Weeping cherry
<i>Prunus yedoensis</i>	Yoshino cherry
<i>Prunus caroliniana</i>	Carolina cherry laurel
<i>Pyrus calleryana Bradfordi</i>	Bradford pear
<i>Pyrus calleryana 'Redspire'</i>	Redspire pear
<i>Pyrus calleryana 'Capital'</i>	Capital pear

Shrubs

<u>Botanical Name</u>	<u>Common Name</u>
<i>Abelia grandiflora</i>	Glossy abelia
<i>Aucuba japonica</i>	Japanese aucuba
<i>Azalea hybrida</i>	Glenn dale azalea
<i>Azalea indica</i>	Indian azalea
<i>Azalea obtusum Kaempferi</i>	Kaempferi azalea
<i>Bambusa multiplex</i>	Hedge bamboo
<i>Berberis julianae</i>	Wintergreen barberry
<i>Berberis thunbergii</i>	Japanese barberry
<i>Camellia japonica</i>	Camellia
<i>Camellia sasanqua</i>	Sasanqua Camellia
<i>Chaenomeles speciosa</i>	Flowering quince
<i>Cleyera japonica</i>	Cleyera
<i>Euonymus alatus</i>	Winged euonymus
<i>Euonymus japonicus</i>	Evergreen euonymus
<i>Eleagnus pungens</i>	Eleagnus
<i>Forsythia intermedia</i>	Forsythia
<i>Hammamelis virginiana</i>	Witch hazel
<i>Hydrangea quercifolia</i>	Oakleaf hydrangea
<i>Ilex aquifolium</i>	English holly
<i>Ilex cornuta</i>	Chinese holly
<i>Ilex cornuta burfordi</i>	Burford holly
<i>Ilex cornuta burfordi nana</i>	Dward burford holly
<i>Ilex crenata 'convexa'</i>	Convex japanese
holly	
<i>Ilex crenata 'hetzi'</i>	Hetzi japanese holly
<i>Ilex crenata 'rotundifolia'</i>	Roundleaf japanese
holly <i>Ilex "Emily Brunner"</i>	Emily brunner holly
<i>Ilex glabra</i>	Inkberry holly
<i>Ilex latifolia</i>	Lusterleaf holly
<i>Ilex pernyi</i>	Perny holly
<i>Ilex vomitoria</i>	Yaupon holly
<i>Jumperus chinensis pfitzeriana</i>	Pfitzer jumper
<i>Jumperus chinensis hetzi</i>	Hetzi jumper
<i>Laurus nobilis</i>	Laurel
<i>Ligustrum japonicum</i>	Japanese privet
<i>Ligustrum lucidum</i>	Glossy privet
<i>Ligustrum vicaryi</i>	Vicary golden privet
<i>Loropetalum chinense</i>	Loropetalum
<i>Mahonia bealei</i>	Leatherleaf mahonia
<i>Myrica cerifera</i>	Wax myrtle

Nandina domestica	Nandina
Osmanthus fortunei	Fortune tea olive
Osmanthus fragrans	Fragrant tea olive
Osmanthus heterophyllus	Holly osmanthus
Osmanthus heterophyllus rotundifolius	Curly leaf tea olive
Photinia fraseri	Fraser photinia
Photinia serrulata	Chinese photinia
Pieris floribunda	Mountain andromeda
Pieris japonica	Japanese andromeda
Pittosporum tobira	Pittosporum
Prunus laurocerasus	English laurel
Podocarpus macrophyllus maki	Podocarpus
Prunus laurocerasus angustifolia	Narrow leafed english laurel
Pyracantha coccinea	Scarlet firethorn
Raphiolepis umbellata	Yeddo hawthorn
Spirea cantoniensis	Reves spirea
Spirea thunbergi	Thunberg spirea
Spirea prunifolia plena	Bridalwreath spirea
Spirea vanhouttei	Vanhoutte spirea
Taxus cuspidata	Japanese yew
Viburnum rhytidophyllum	Leatherleaf viburnum
Viburnum tinus	Laurestinus viburnum

B. TABLE OF CONTENTS

1. Amend the Table of Contents by modifying the listing for Appendix 1. The new list of appendices shall read as follows:

APPENDICES:

Appendix 1: List of Acceptable Plant Species Reserved	A-1
Appendix 2: Zoning Maps Conversion Process	A-5
Appendix 3: N.C. General Statute Article 26A (Sec. 14.202.10) Adult Establishments	A-8
Appendix 4: Amendments (since this printing)	A-10
Appendix 5: Watershed Buffer Guidelines for Mecklenburg County	A-1

C. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201, “Definitions” by referencing the new location of the approved plant species list for the following three definitions:

Large maturing tree.

A tree whose height is greater than 35 feet at maturity and has a minimum caliper of 2½ inches at the time of planting and meets the specifications of American Standards for Nursery Stock, published by the American Association of Nurseryman. (See the “Approved Plant Species” matrix in the Charlotte Land Development Standards Manual Appendix 1)

Shrubs.

Woody branching plants of relatively low height. (See the “Approved Plant Species” matrix in the Charlotte Land Development Standards Manual Appendix 1)

Small maturing trees.

A tree the height of which is less than 35 feet at maturity and has a minimum 1½-inch caliper at the time of planting and meets the specifications of American Standards for Nursery Stock, published by the American Association of Nurseryman. (See the “Approved Plant Species” matrix in the Charlotte Land Development Standards Manual)

D. CHAPTER 9: GENERAL DISTRICTS

1. PART 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

- a. Amend Section 9.1208, “Development Standards”, subsection (8), “Screening Standards”, subsection (a)(3) by referencing the new location of the approved plant species list. The other subsections shall remain unchanged. The subsection shall read as follows:

- (3) Shrubs used for screening shall be evergreen and at least 2 to 2 ½ feet tall with a minimum spread of 2 feet when planted and no further apart than 5 feet. Shrubs shall be adequately maintained so that an average height of 5 to 6 feet can be expected as normal growth within 4 years of planting. The average expected height may be reduced to 4 feet for screening along public streets. Shrubs and trees shall be on the approved plant list in the “Approved Plant Species” matrix in the Charlotte Land Development Standards Manual Appendix 1. Walls shall be reduced in height to 30 inches within sight triangles as required by the Charlotte Department of Transportation (CDOT).

E. CHAPTER 10: OVERLAY DISTRICTS

1. PART 9: TRANSIT SUPPORTIVE OVERLAY DISTRICT

- a. Amend Section 10.907, “Development Standards”, subsection (8), “Screening Standards”, subsection (a)(3) by referencing the new location of the approved plant species list. The other subsections shall remain unchanged. The subsection shall read as follows:

3. Shrubs used for screening shall be evergreen, at least 2 to 2 ½ feet tall with a minimum spread of 2 feet when planted and no further apart than 5 feet. Shrubs shall be adequately maintained so that an average height of 5 to 6 feet can be expected as normal growth within 4 years of planting. The average expected height may be reduced to 4 feet for screening along public streets. Shrubs and trees shall be on the approved plant list in the “Approved Plant Species” matrix in the Charlotte Land Development Standards

Manual Appendix 1. Walls may be reduced in height to 30 inches within sight triangles as required by the Charlotte Department of Transportation (CDOT).

F. CHAPTER 11: CONDITIONAL ZONING DISTRICTS

1. PART 7: RE-3 RESEARCH DISTRICT

- a. Amend Section 11.705, “Development Standards” subsection (3), “Landscape edge and internal planting requirements”, subsection (a)(1) by referencing the new location of the approved plant species list. The other subsections shall remain unchanged. The subsection shall read as follows:

- (1) The type of trees to be planted must come from the approved list in the “Approved Plant Species” matrix in the Charlotte Land Development Standards Manual Appendix 1. Minimum tree caliper measured six inches above the ground on all trees shall be 2½ inches and the minimum height shall be 10 feet.

G. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 3: BUFFERS AND SCREENING

- a. Amend Section 12.302, “Buffer Requirements”, subsection (9)(d) by referencing the new location of the approved plant species list. The other subsections shall remain unchanged. The subsection shall read as follows:

- (d) Shrubs and trees shall be on the approved plant species list in the “Approved Plant Species” matrix in the Charlotte Land Development Standards Manual Appendix 1;

- b. Amend Section 12.303, “Screening Requirements”, subsection (2)(g) by referencing the new location of the approved plant species list. The other subsections shall remain unchanged. The subsection shall read as follows:

- (g) Shrubs used in any screening or landscaping must be evergreen, at least 2 to 2½ feet tall with a minimum spread of 2 feet when planted and no further apart than 5 feet. They must be of a variety and adequately maintained so that an average height of 5 to 6 feet could be expected as normal growth within 4 years of planting. The average expected height may be reduced to 4 feet for screening along public streets. Shrubs and trees shall be on the approved plant list in the “Approved Plant Species” matrix in the Charlotte Land Development Standards Manual Appendix 1; and

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted
by the City Council of the City of Charlotte, North Carolina, in regular session convened
on the _____ day of _____, 2010, the reference having been made in Minute Book _____,
and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this
_____ day of _____, 2010.
