

City of Charlotte, NC Tree Ordinance Guidelines

Parking spaces addition (21.4 (b) (2)):

This guideline explains one of the applicability sections of the tree ordinance regarding the addition of parking spaces.

The ordinance states:

This chapter shall apply to all developers and/or owners of real property involved with the erection, repair, alteration or removal of any building or structure as well as the grading in anticipation of such development. Compliance with this chapter will be required in the following circumstances:

(b) In the case of the following cumulative (since January 2011) additions or changes:

(1) additions to existing sites that are equal to or greater than five (5) percent of the site's existing building square footage or the addition of one-thousand (1,000) sq. ft. or more of building or,

(2) When ten (10) or more parking spaces are added to the site with no building or,

(3) Façade changes to ten (10) percent or more of any building wall facing a vehicular way intended for public travel regardless of ownership (e.g., adding or eliminating doors, windows, closings, openings, or increased wall area).

(c) The following are excluded from the requirements of section 21-94, 21-95 and 21.96 of this

This portion of the tree ordinance applies to both new and existing sites. The word parcel means any given official tax parcel as defined by its property lines irrespective of any lease lines. The intent is to trigger full tree ordinance compliance across a parcel when ten (10) or more parking spaces are created where they did not previously exist. This section is not to be interpreted as the cumulative number of parking spaces pre and post site activity.

The intent of the provision is to establish a threshold for parking lot construction/reconfiguration such that if that threshold is exceeded, the site will no longer be grandfathered and be required to adhere to current tree planting requirements, with the goal of eventually having all parking lots in compliance.

Valid historical aerial photos and/or site conditions that show previous parking paint stripes or wheel stops can be used to show where existing parking spaces are or have been. These items must be verified by the Urban Forestry Specialist responsible for plan review.

Below are some hypothetical examples of how this section is enforced.

Will require ordinance compliance:

- 1) A parcel has fifty (50) parking spaces and creates ten (10) or more parking spaces on an area of existing asphalt or other surface where previously there were no parking spaces delineated. The total number of parking spaces may actually decrease.
- 2) A parcel has a graveled or bare earth yard which is converted to a parking lot with ten (10) or more parking spaces
- 3) Ten (10) or more parking spaces are created on a parcel because an adjoining parcel relocates parking there.
- 4) A parking lot is created on a previously undeveloped parcel regardless of the number of spaces created. *This is actually development and not an addition to an existing site. See 21-4 (a)

Will not require tree ordinance compliance:

- 1) A parcel has fifty (50) existing parking spaces and the existing parking lot is restriped to make the lot more efficient and ten (10) or more parking spaces result but the original parking field is maintained;
- 2) A parcel reduces its total number of parking spaces and does not create ten (10) new spaces;
- 3) A parcel resurfaces its existing parking lot and restripes the parking spaces in the same location;
- 4) A parcel restripes its parking spaces in a new orientation to improve circulation. An example of this could be changing parking from straight in spaces to angled parking. The parking spaces must be in the same location and not create ten (10) new spaces.

Should any further clarification be needed please contact Urban Forestry staff.