

RESOLUTION

OF THE CHARLOTTESVILLE CITY COUNCIL:

DISPOSITION OF PENDING PROJECTS ON THE EFFECTIVE DATE OF THE NEW DEVELOPMENT CODE AND ZONING MAP

WHEREAS, City Council has this date enacted a new Development Code as Chapter 34 and new Zoning Map (“new requirements), and has repealed the prior Zoning Ordinance (Chapter 34) (“repealed ordinance”) and Chapter 29; and

WHEREAS, as a matter of law, certain projects will accrue zoning vested rights to proceed under the repealed ordinance; and

WHEREAS, City Council is not required, but desires, to allow certain other projects, which have been submitted for approval and have been under review, but do not have vested rights, to proceed under the repealed ordinance; and

WHEREAS, City Council has determined that orderly transition from the prior ordinances to the new requirements of Chapter 34 will be assisted by allowing these certain other projects to continue to diligently pursue approval under the repealed ordinance for a limited time;

NOW, THEREFORE, BE IT RESOLVED by the Charlottesville City Council that the following projects, which otherwise have not accrued zoning vested rights, may continue to pursue site plan review and approval under the repealed ordinance with due diligence as follows:

- Those project applications for site plan approval which were submitted and accepted for review by August 31, 2023, the date of first advertisement of the new ordinance Chapter 34 for the Planning Commission public hearing;
- Provided, however, that in order to maintain its status as “vested” under the repealed ordinance, the project must actively pursue approval, unless given a time extension by the Director of Neighborhood Development Services for extenuating circumstances, and must complete site plan review by July 1, 2025; and
- Provided, that, if, after the third submission, one of the foregoing projects does not obtain site plan approval, the applicant must submit a new application, with new fees, and in accordance with current/new ordinance requirements. If a new

submission is required, the project must proceed under the current/new requirements; and

- The relief provided in this resolution applies only to zoning ordinance requirements and not to any other development ordinance requirements.

Adopted by the City Council, this 18th day of December 2023.

Attest:

Clerk, Charlottesville City Council