

**RESOLUTION APPROVING AFFORDABLE DWELLING UNIT MONITORING AND
PROCEDURES MANUAL (ADU MANUAL)**

WHEREAS, on October 12, 2021, the Planning Commission unanimously recommended approval of the 2021 Comprehensive Plan and directed that the 2021 Comprehensive Plan be transmitted to City Council for consideration; and

WHEREAS, the Charlottesville City Council endorsed the Affordable Housing Plan on March 1, 2021, which informed the development of the 2021 Comprehensive Plan, as well as recommended new zoning tools to support Charlottesville's affordable housing needs through the creation and preservation of affordable housing units; and

WHEREAS, on December 18, 2023, the Charlottesville City Council voted unanimously to repeal and re-ordain a new Chapter 34 and the repeal of Chapter 29 of the Charlottesville City Code, marking a transformative moment in the City's land use planning and housing policies; and

WHEREAS, the Affordable Housing Plan and Affordable Dwelling Unit (ADU) Ordinance are major components of the adopted Development Code; and

WHEREAS, the Affordable Dwelling Unit ordinance is included in Chapter 34 Section 4.2.2 of the Charlottesville Development Code, and this Manual is designed to align with the provisions in the Development Code; and

WHEREAS, the City Council adopted a new City of Charlottesville Development Code as new Chapter 34 and new Zoning Map; and

WHEREAS, the Affordable Dwelling Unit Monitoring and Procedures Manual (ADU Manual) sets forth the guidance, operational procedures, and implementation protocol governing the administration of the Affordable Dwelling Unit Ordinance; and

WHEREAS, the City Council finds that public necessity, convenience, general welfare, and good zoning practice require the adoption of the proposed Affordable Dwelling Unit Monitoring and Procedures Manual; and

WHEREAS, the Affordable Dwelling Unit Monitoring (ADU Manual) plays a crucial role by:

- **Facilitating Compliance:** It simplifies the complex requirements of the new ordinances, ensuring that all stakeholders can easily understand and adhere to the regulations related to affordable dwelling units.
- **As an Internal Resource:** For city staff, the manual serves as a valuable internal resource, offering step-by-step procedures, checklists, and templates for efficient program administration.
- **As an External Resource:** External users, such as developers and applicants, benefit from a clear and comprehensive resource that guides them through the process of incorporating affordable dwelling units into their projects.

WHEREAS, the focus of the ADU Manual is to align seamlessly with the new ordinances by:

- Providing detailed explanations of how the manual complements the ordinances.

- Ensuring that all information within the manual reflects the current regulations, making it a reliable reference for users; and

WHEREAS, the ADU Manual serves as a user-friendly guide aimed at ensuring alignment with the new ordinances, providing vital information for internal and external users regarding the City's ADU and Affordable Housing Plan and complementary procedures and programs of service; and

WHEREAS, the ADU Manual clarifies the requirements and processes related to affordable dwelling units in compliance with the new ordinances to help ensure effective performance and compliance, offers guidance and instructions to internal staff members involved in administering the ADU programs of service, the standard order of procedures, and monitoring and tracking requirements, and assists external stakeholders, including developers and applicants, in understanding the ADU program's key aspects; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that the proposed Affordable Dwelling Unit Monitoring and Procedures Manual is hereby approved as the City's official "Affordable Dwelling Unit Monitoring and Procedures Manual," effective February 19, 2024; and

BE IT FURTHER RESOLVED that in the event of any inconsistency between this Manual and the Charlottesville Development Code, the Development Code shall prevail; and

BE IT FURTHER RESOLVED that this Manual shall be subject to amendment every two years. The Zoning Administrator, with the approval of the City Manager and the concurrence of the City Attorney's Office, may amend and update the ADU Manual or any appendices thereto. Any proposed amendments shall be posted on the City's website for public information for at least ten (10) business days prior to being approved by the City Manager; and

BE IT FURTHER RESOLVED that the Zoning Administrator and the Housing Program Manager shall have the authority to administer and interpret the provisions of the ADU Manual, including the issuance of technical bulletins or written interpretations, subject to oversight by the City Manager or their designee, and with the concurrence of the City Attorney or their designee. Upon issuance of a technical bulletin or written interpretation with the concurrence of the City Attorney, the content of that document shall have the same weight of authority as the text within the ADU Manual.

Approved by Council
February 5, 2024

Kyna Thomas, CMC
Clerk of Council