

Adopted by City Council on November 18, 2013

**AN ORDINANCE  
AMENDING ARTICLE III OF CHAPTER 29 (SUBDIVISION OF LAND)  
AND ARTICLE I (ADMINISTRATION) AND  
ARTICLE VII (SITE PLANS) OF CHAPTER 34 (ZONING)  
RELATING TO DEVELOPMENT OF AFFORDABLE DWELLING UNITS**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia that Sections 29-110 and 29-111 of Article III of Chapter 29, and Sections 34-827 and 34-828 of Article VII of Chapter 34, of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained, as follows:

**CHAPTER 29. SUBDIVISION OF LAND**

**ARTICLE III. PLAT REQUIREMENTS**

**Sec. 29-110. Form and style of preliminary and final plats.**

- (a) *Plat details.* All plats shall comply with the following requirements:
  - (1) . . .
  - . . .
  - (34) *Restrictions.* Restrictions imposed in conjunction with the approval of the preliminary plat, and their period of existence, shall be noted on the plat, including, without limitation: sidewalk maintenance agreements; stormwater/BMP facilities maintenance agreements, affordable dwelling unit obligations arising under Sec. 34-12(a) or 34-12(d)(1), etc. If the length of the wording necessary to describe a particular restriction makes its inclusion on the final plat impractical, and if the nature of the restriction does not necessitate the preparation of a separate instrument for recordation with the plat, then a summary reference shall be made to the restriction on the final plat.

**Sec. 29-111. Required documents and information.**

- (a) *Preliminary plat requirements . . .*
- (b) *Final plat requirements.* In addition to any information required by paragraph (a) above, the following documents or information shall be submitted with each final plat, unless included in the site plan previously approved or under review:

. . .

- (10) *Instruments evidencing affordable housing requirements.* If the subdivision includes land that is subject to an affordable housing obligation arising under Sec. 34-12(a) or 34-12(d)(1), the subdivider shall submit with the final plat the instrument(s) assuring the reservation of land for such obligation, in such format as may be required by the regulations enacted pursuant to Sec. 34-12(g).

**CHAPTER 34. ZONING**

**ARTICLE I. ADMINISTRATION**

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**Sec. 34-12. Affordable dwelling units.**

(a) ...

(b) ...

(c) ...

(d) ...

(e) The cash contribution shall be indexed to the Consumer Price Index for Housing in the South Urban Region as published by the Bureau of Labor Statistics and shall be adjusted annually based upon the changes made in January to such index.

(f) ...

(g) The city council may from time to time adopt regulations by resolution, for the administration of the provisions of this section. Pursuant to Sec. 34-82(b)(1), the failure of any person to comply with such regulations shall constitute unlawful conduct in violation of this section.

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**ARTICLE VII. SITE PLANS**

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**Sec. 34-827. Preliminary site plan contents.**

(a) ...

(b) ...

(c) ...

(d) The preliminary site plan shall contain the following information:

- (1) The name of the development; names of the owner(s), developer(s) and individual(s) who prepared the plan; tax map and parcel number; zoning district classification(s); descriptions of all variances, zoning proffers and bonus factors applicable to the site; description of affordable dwelling unit requirements applicable to the subject property pursuant to Sec. 34-12(a) or Sec. 34-12(d)(1); city and state; north point; scale; one (1) datum reference for elevation (where a flood hazard overlay district is involved, U.S. Geological Survey vertical datum shall be shown and/or correlated to plan topography); source of the topography; source of the survey; sheet number and total number of sheets; date of drawing; date and description of latest revision; zoning district, tax map and parcel number, and present use, of each adjacent parcel; departing lot lines; minimum setback lines, yard and building separation requirements; a vicinity sketch showing the property and its relationship with adjoining streets, subdivisions and other landmarks; and boundary dimensions.

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**Sec. 34-828. Final site plan contents.**

(a) ...

(b) ...

(c) ...

(d) The final site plan shall reflect conditions of approval of the preliminary site plan. In addition to all the information required on the preliminary site plan, the final site plan shall contain the following information:

(1) . . .

(2) . . .

(3) Indicate if residential units are sale or rental units; number of bedrooms per unit; and number of units per building if multifamily; specifications for recreational facilities; and reference to the specific deed(s), agreement(s) or other evidence of the property owner's binding obligation to provide affordable dwelling units applicable to the subject property pursuant to Sec. 34-12(a) or Sec. 34-12(d)(1), consistent with regulations approved pursuant to Sec. 34-12(d).