

# Policy Briefing Summary

## City Council



---

<b>Regarding:</b>	<b>Resolution Authorizing Agreement to Settle <i>White v. Charlottesville City Council</i></b>
<b>Staff Contact(s):</b>	John Maddux, City Attorney
<b>Presenter:</b>	<b>John Maddux, City Attorney</b>
<b>Date of Proposed Action:</b>	October 20, 2025

---

### Issue

Whether to authorize an agreement to settle *White v. Charlottesville City Council*, a lawsuit challenging the legality of the zoning ordinance adopted by the City Council in December of 2023.

### Background / Rule

In January 2024, several community members filed a lawsuit challenging the new zoning ordinance adopted by City Council in December 2023. Over time, the case narrowed to two main questions: whether the City was required to send certain traffic information to the Virginia Department of Transportation (VDOT), and whether the City gave reasonable consideration to factors required by state law when adopting the ordinance. Although a trial was scheduled for September 2026, the City and the plaintiffs have reached an agreement to resolve the case. Under the agreement, the City will provide the requested traffic information to VDOT, and the plaintiffs will withdraw their lawsuit. As long as the City meets its obligations, this agreement will bring the litigation to an end.

### Analysis

The City remains confident that it would ultimately prevail in this matter. However, the cost of discovery, trial, and potential appeals would be substantial for all parties, and any litigation carries inherent risks. This proposal, where the City will provide certain traffic information in exchange for dismissal of the case offers a practical and cost-effective path forward. Accepting this resolution will avoid further litigation expenses and provide clarity and stability for the City's zoning ordinance.

### Financial Impact

Funds will be required to complete the necessary traffic studies for submission to VDOT, and these costs are expected to be meaningful. However, they are anticipated to be substantially lower than the costs the City would incur if the case proceeded through discovery, trial, and potential appeals, which would likely require extensive expert involvement.

### Recommendation

The City Attorney's Office recommends approval of the proposed settlement agreement. This approach will resolve the pending litigation, avoid substantial legal expenses, and provide finality and certainty for implementation of the City's zoning ordinance.

### Recommended Motion (if Applicable)

"I move that City Council authorize the City Manager to execute the settlement agreement resolving *White v. Charlottesville City Council*, and to take all actions necessary to implement its terms."

### Attachments

1. RES\_White v City of Charlottesville
2. Settlement Agreement - White v Charlottesville - Final