Original Proffers ___X_____
Amendment _____

DRAFT PROFFER STATEMENT

ZMA Number and Name:	2023-00017 Chestnut Grove Manufactured Home Park Community
Parcel ID Numbers:	13400-00-00-00400
Owner:	Chestnut Grove Park LLC
Date of Proffer Signature:	XX, 2024

50.618 acres to be rezoned from R-1 Residential to R-4 Residential

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Chestnut Grove Park LLC is the owner (the "Owner") of Tax Parcel 13400-00-00-00400 (the "Property"), which is the subject of rezoning application ZMA No. 2023-00017, a project known as "Chestnut Grove Manufactured Home Park Community" (the "Project").

Pursuant to Section 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed below, which shall be applied to the development of the Property if it is rezoned to the requested zoning district, R-4 Residential. These conditions are proffered as part of the requested rezoning and the Owner specifically deems the following proffers reasonable and appropriate, as conclusively evidenced by the signature below. The signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this Proffer Statement.

1. **PROHIBITED USES:**

   a. The following uses denoted with a strikethrough, which are permitted by right in the Residential R-4 district pursuant to §18-15.2.1 of the Albemarle County Code, shall be prohibited from being established on the Property, uses denoted without a strikethrough are permitted by right:

   1. Detached single-family dwellings.
   2. Side-by-side two-family dwellings provided that density is maintained, and provided further that buildings are located so that each unit could be provided with a lot meeting all other requirements for detached single-family dwellings except for side yards at the common wall. Other two-family dwellings shall be permitted provided density is maintained.
   3. ~~Semi-detached and attached single-family dwellings such as triplexes, quadruplexes, and townhouses, provided that density is maintained, and provided further that~~

~~buildings are located so that each unit could be provided with a lot meeting all other requirements for detached single-family dwellings except for side yards at the common wall.~~

~~4. Cluster development of permitted residential uses.~~

5. Rental of permitted residential uses and guest cottages, provided that yard, area and other requirements of this ordinance shall be met for each such use whether or not such use is on an individual lay-out.
6. (Repealed 9-2-81)
7. (Repealed 9-2-81)
8. Electric, gas, oil and communication facilities, excluding tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility. Water distribution and sewerage collection lines, pumping stations and appurtenances owned and operated by the Albemarle County Service Authority. Except as otherwise expressly provided, central water supplies and central sewerage systems in conformance with Chapter 16 of the Code of Albemarle and all other applicable law. (Amended 5-12-93)
9. Accessory uses and buildings including home occupation, Class A (reference 5.2) and storage buildings.
10. Temporary construction uses (reference 5.1.18).

~~11. Public uses and buildings including temporary or mobile facilities such as schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies (reference 31.2.5); public water and sewer transmission, main or trunk lines, treatment facilities, pumping stations and the like, owned and/or operated by the Rivanna Water and Sewer Authority (reference 31.2.5; 5.1.12). (Amended 11-1-89)~~

12. Homestays (reference 5.1.48).
13. Group home (reference 5.1.07). (Amended 8-9-17)
14. Stormwater management facilities shown on an approved final site plan or subdivision plat. (Added 10-9-02)
15. Tier I and Tier II personal wireless service facilities (reference 5.1.40). (Added 10-13-04)
16. Family day homes (reference 5.1.56). (Added 9-11-13)
17. Urban beekeeping (reference 5.1.63).

b. The following uses permitted by special use permit in the Residential R-4 district pursuant to §18-15.2.2 shall be prohibited from being established on the Property, uses denoted with a strikethrough are permitted by special use permit:

1. Community center (reference 5.1.4).
2. Clubs, lodges, civic, fraternal, patriotic (reference 5.1.2).
3. Fire and rescue squad stations (reference 5.1.9).
4. Swim, golf, tennis, or similar athletic facilities (reference 5.1.16).

5. Private schools.
6. Electrical power substations, transmission lines and related towers; gas or oil transmission lines, pumping stations and appurtenances; unmanned telephone exchange centers; micro-wave and radio-wave transmission and relay towers, substations and appurtenances (reference §18-5.1.12).
7. Child day center (reference 5.1.6).
8. Manufactured home subdivisions (reference 5.5).
9. ~~Assisted living facility, skilled nursing facility, children's residential facility, or similar institution (reference 5.1.13).~~
10. ~~Hospitals.~~
11. ~~Home occupation, Class B (reference 5.2).~~
12. Religious assembly use. (Added 9-2-81) (Amended 8-9-17)
13. Cemeteries. (Added 9-2-81)
14. Manufactured home parks (reference 5.3) (Added 3-5-86)
15. ~~Stand alone parking and parking structures (reference 4.12, 5.1.41) (Added 2-5-03)~~
16. Tier III personal wireless service facilities (reference 5.1.40). (Added 10-13-04)
17. Historical centers, historical center special events, historical center festivals (reference 5.1.42). (Added 6-8-05)
18. Farmers' markets (reference 5.1.47). (Added 5-5-10)

2. **DENSITY:** The maximum number of manufactured homes within the Project shall be limited to no more than fifty (50) provided that if the manufactured home park is not constructed, the residential density on the Property shall be limited to no more than six (6) residential units, which is the maximum residential density permitted on the Property under Rural Areas provisions. Five (5) of the six (6) residential units must be sited on lots that are no smaller than two acres in size and one of the residential units must be sited on a lot that is no smaller than twenty-one (21) acres in size.

3. **AFFORDABLE HOUSING**: All manufactured homes in the Project shall be designated as either Affordable Land Lease Units 50% Area Median Income (AMI), Affordable Land Lease Units 100% AMI, or Affordable Rental Units to provide affordable housing opportunities for low and moderate income households. Area Median Income is determined from time to time by the U.S. Department of Housing and Urban Development (HUD) for households within the Charlottesville, Va metropolitan statistical area. This proffer sets forth the conditions and restrictions for the provision of affordable housing within the Project.

   a. Definitions

      i. Affordable Land Lease Unit 50% AMI: Housing unit that is income qualified, where the monthly household income does not exceed 50% of the AMI. Land lease tenants lease the land on which their

manufactured home is located while maintaining ownership of the manufactured home itself.

ii. Affordable Land Lease Unit 100% AMI: Housing unit that is income qualified, where the monthly household income does not exceed 100% of the AMI. Land lease tenants lease the land on which their manufactured home is located while maintaining ownership of the manufactured home itself.

iii. Affordable Rental: Housing unit that is income qualified, where the monthly household income does not exceed 60% of the AMI. Rental tenants rent both the manufactured home unit and the land on which the unit is located.

b. Affordability Requirements

All units within the Project will be income qualified. Of the units that are land leased, 33% of units will be Affordable Land Lease Units 50% AMI with the remainder of land leased units being Affordable Land Lease Units 100%. Units that are not land leased will be Affordable Rental units.

c. Term

All units will remain affordable for a minimum of 30 years from the issuance of the first certificate of occupancy for a manufactured home unit within the Project.

d. Monitoring

i. Annual Reporting: The Owner shall submit an annual report to the Albemarle County Housing Office or designated agency, detailing compliance with income and affordability requirements. The report shall include a list of all tenants and land leaseholders, their income verification documents, and the corresponding rental or lease rates.

ii. Compliance Audits: The Albemarle County Housing Office or designated agency may conduct periodic audits to ensure compliance with this proffer. The Owner agrees to cooperate with such audits and provide necessary documentation.

(Signature Pages Immediately Follow)

WITNESS the following signatures:

OWNER:

Owner of Tax Parcels 09000-00-00-03300, 09000-00-00-033B0, 09000-00-00-033C0:

CHESTNUT GROVE PARK LLC

_____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF_____, to wit:

The foregoing instrument was acknowledged before me this ____day of _____2024 by Chestnut Grove Park LLC.

My Commission expires: _____ _____
Notary Public