SIEG PROPERTY
NEIGHBORHOOD MODEL



ZONING MAP AMENDMENT
ZMA 2022-02
CODE OF DEVELOPMENT

Revision Date: 11/20/2025

TABLE OF CONTENTS

1. Introduction 4
   1.1 Purpose and Intent 4
   1.2 Existing Conditions 4
2. Code of Development 8
   2.1 General Development Application Plan 8
   2.2 Land Use By Block 8
      2.2.1 Regional Mixed-Use Category 12
      2.2.2 Urban Density Residential Category 13
   2.3 Permitted and Prohibited Uses: Residential and Non- Residential 14
   2.4 Use Definitions 16
   2.5 Building Form Standards 18
      2.5.1 Density 18
      2.5.2 Lot Regulations 18
         2.5.2.1 Regional Mixed-Use Center – Blocks 1 through 4 19
         2.5.2.2 Urban Density- Blocks 5, 6 & 7 20
   2.6 Green Space and Amenities 22
      2.6.1 Green space 22
      2.6.2 Buffers 22
      2.6.3 Civic Spaces and Recreational Amenities 25
   2.7 Phasing 26
   2.8 Stormwater Management 26
   2.9 Grading 26
   2.10 Transportation 27
      2.10.1 Street Network 27
      2.10.2 Pedestrian Network 29
      2.10.3 Park and Ride 29
      2.10.4 Traffic Improvements 30
   2.11 Parking 30
   2.12 Floodplain 31
   2.13 Trailways 31
   2.14 Utilities 32
3. Architectural and Landscape Standards
   3.1 Architectural Standards 32
   3.2 Lighting Standards 32
   3.3 Signage Standards 33
   3.4 Landscaping Standards 33
      3.4.1 Street Trees 33
      3.4.2 Buffers 34
      3.4.3 Tree Preservation Guidelines 34
   3.5 Streetscape Treatments 34
4. Affordable Housing 35
   4.1 For Sale Affordable Housing 35

4.2 For Rent Affordable Housing 36
4.3 Cash-In-Lieu of Constructing Affordable Units 37

List of Tables:

Table 1 Existing Parcel Information
Table 2 Land Use Areas
Table 3 Characteristics of the Regional Mixed-Use Category
Table 4 Characteristics of the Urban Density Residential Category
Table 5 Permitted/Prohibited Residential Uses by Block
Table 6 Permitted/Prohibited Non-Residential Uses by Block
Table 7 Density Regulations
Table 8 Lot Standards Regional Mixed-Use Center
Table 9 Lot Standards Urban Density Residential
Table 10 Buffer Classifications
Table 11 Civic Space / Recreational Amenities
Table 12 Street Network Chart
Table 13 Relegated Parking Guidelines

List of Figures:

Figure 1 PROPERTY CONTEXT MAP
Figure 2 CRITICAL RESOURCES MAP
Figure 3 PROPOSED LAND USE DIAGRAM
Figure 4 ILLUSTRATIVE CONCEPTUAL PLAN
Figure 5 GARAGE AND DRIVEWAY EXHIBIT
Figure 6 GREEN SPACE AND TRAILWAYS
Figure 7 NEIGHBORHOOD STREET CROSS SECTION
Figure 8 CONNECTOR ROAD CROSS SECTION
Figure 9 PRIVATE STREET CROSS SECTION FOR AMENITY ORIENTED LOTS
Figure 10 TRANSPORTATION PHASING EXHIBIT

1. INTRODUCTION

1.1 Purpose and Intent

In accordance with the requirements of the Neighborhood Model District ("NMD") and the regulations contained in 18.20A.5 of the Albemarle County Zoning Ordinance (the "Zoning Ordinance"), this "Code of Development", together with the General Development Application Plan, entitled "Sieg Zoning Map Amendment Plan" ("Application Plan"), shall serve as the guidelines and regulations for the development of the Sieg Properties (the "Property" and the "Development"). The Property includes Tax Map Parcels: 75-53, 75- 56, 75-54A, 75-54, 75-55, 75-55C, and existing Gold Eagle Drive right of way. See Table 1.

The intent of the Code of Development and Application Plan is to provide a framework for the development of the Property that is in accordance with the principles of the Neighborhood Model, Albemarle County Comprehensive Plan, and Albemarle County Zoning regulations, while allowing for maximum flexibility and creativity in the establishment of the Application Plan, mixture of uses, building locations, street networks, densities within the Property, and overall design of the project.

1.2 Existing Conditions

The Property, as shown on the Regional Context Map in Figure 1 of the Code of Development (COD) is located within the Southern + Western Neighborhoods section of Albemarle County. The Property, totaling 62.46 +/- acres and consisting of (6) parcels and existing VDOT right of way, was surveyed by Draper Aden in 2006 and Lincoln Surveying in October, 2008. The Property survey has also been included on the application materials. Table 1 of the COD includes the existing property information on the 6 parcels. The Property is bordered by Interstate 64, Route 29, and the Sweetspot properties. The surrounding areas and adjacent property owners are shown on the existing conditions sheet in the application plan.

The current zoning of the (6) parcels within the Property is R-1 (Residential) and HC (Highway Commercial) zoning. The topography of the Property is primarily rolling terrain, with a stream corridor along the Route 29 frontage of the Property. Figure 2 in the COD illustrates the environmentally sensitive areas on the Property, including the floodplain along Route 29 and the sensitive steep slopes on the Property, both managed and preserved, as identified by Albemarle County.

The Property also includes the existing right-of-way of Gold Eagle Drive within the rezoning, which also provides access to the existing distributorship that is adjacent to the development site. The existing distributorship parcel, identified as 07500-00-00-055D0 and owned by Virginia Eagle Properties LLC, is not being rezoned, but will utilize the transportation network that is contemplated in this rezoning. Transportation improvements that are interior to the site, will

be phased as shown in Figure 9. The rezoning application includes the existing Gold Eagle Drive right-of-way, as the road network is being altered to improve the site access. Site access will be provided from Route 29, with modifications that convert the existing Gold Eagle Drive to right-in right-out only. A second primary access to the site will be provided further south, with the inclusion of a conventional signalized intersection. All off-site transportation improvements are detailed within the Transportation Impact Assessment, by Gorove Slade, updated September 2023 and within the Application Plan and Code of Development.

Table 1: Existing Parcel Information

TMP	Owner	Owner Address	Acreage	Current Zoning
75-53	RBD Gold Eagle, LLC	455 2nd Street SE, 5th Floor, Charlottesville, VA 22902	43.813	R-1
75-56	THE PINES GROUP	PO BOX 1467 CHARLOTTESVILLE, VA 22902	10.795	HC
75-54A	RBD Gold Eagle, LLC	455 2nd Street SE, 5th Floor, Charlottesville, VA 22902	1.484	HC
75-54	THE PINES GROUP	PO BOX 1467 CHARLOTTESVILLE, VA 22902	1.502	HC
75-55	J W SIEG & COMPANY INC	1180 SEMINOLE TRAIL SUITE 290 CHARLOTTESVILLE VA, 22901	2.2694	HC
75-55C	J W SIEG & COMPANY INC	1180 SEMINOLE TRAIL SUITE 290 CHARLOTTESVILLE VA, 22901	0.90	HC
Ex. Gold Eagle r/w	VDOT Right of Way		1.70	N/A
			64.46+/-	



FIGURE 1: PROPERTY CONTEXT MAP

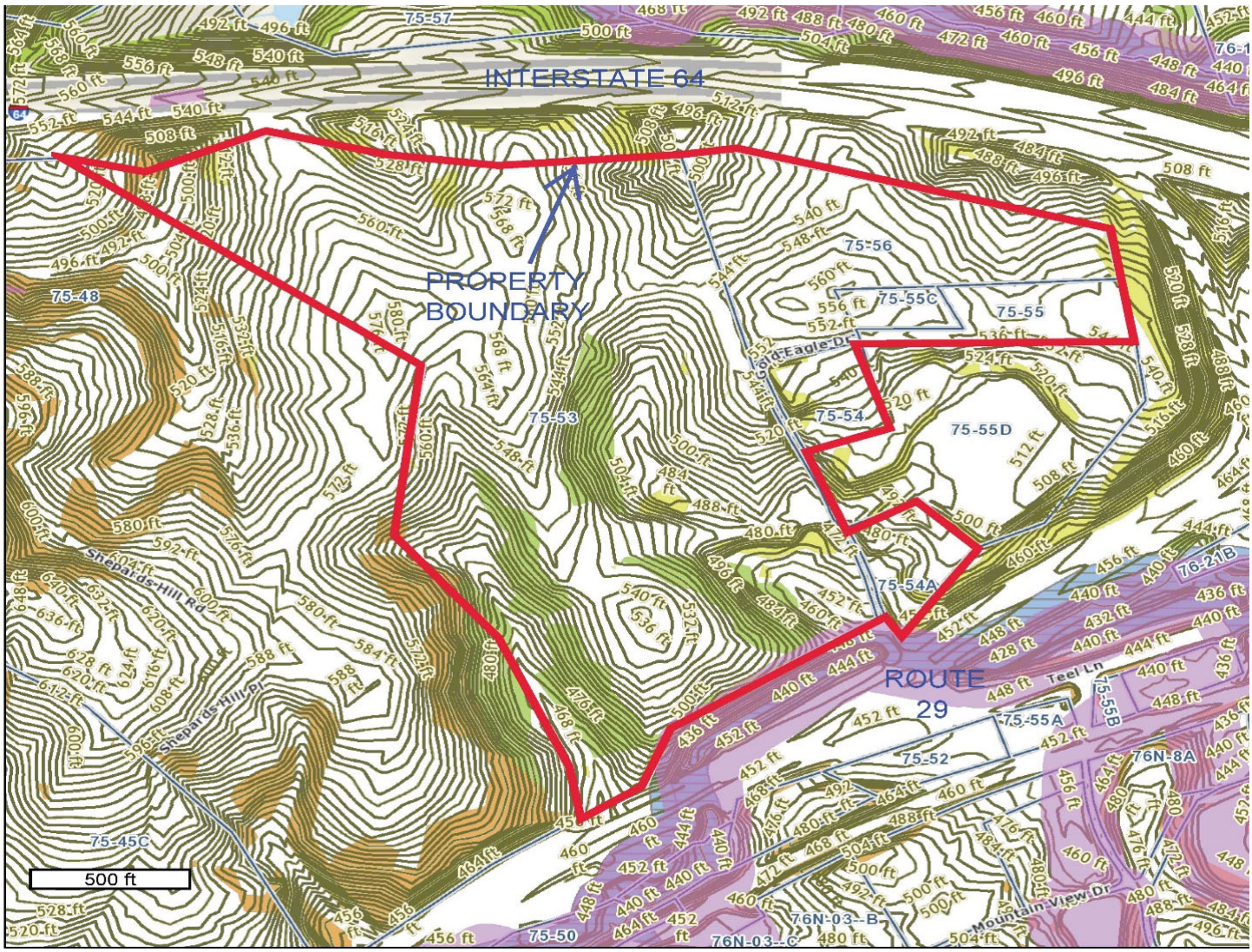


FIGURE 2: CRITICAL RESOURCES MAP

2. CODE OF DEVELOPMENT

2.1 Application Plan

The Application Plan lays out the framework for the development of the Property, while incorporating the flexibility necessary to adapt to changing needs in the future. The Application Plan illustrates the Development areas, Green Space, Trails, and Buffer areas all within the Property, along with the environmentally sensitive areas that will remain undisturbed. The Application Plan also shows the proposed alignment of the major roads through the Property, and the connections to the adjacent properties and existing roads. Other key features of the development are shown in the Application Plan, such as proposed civic spaces and other elements of the rezoning.

2.2 Land Use by Block

The Application Plan has been segmented into 6 blocks, based on existing site conditions of the Property. The blocks are classified into two different land use districts, which derive from the Comprehensive Plan recommendations for the Property, with the included delineation of areas that are more residential in character. The two land use districts are: Regional Mixed Use, and Urban Density Residential. In accordance with the Southern + Western Neighborhoods recommendations, the Property includes ample area for more commercially focused Regional Mixed Use Service Center, while incorporating residential uses on areas of the site with topography that is not conducive to larger commercial pads. The Regional Mixed Use Service Center will be the heart of the development with a combination of retail, commercial, residential, and community spaces. The Urban Density Residential area provides a transition from the Regional Mixed Use Service Center to the surrounding areas, and provides a mix of residential types of housing, and other uses and amenities. A summary of the Land Use Areas can be found on Table 2. The Land Use Table lists the total acreage of each block along with the acreage in each block that is included as development area and Green space/Amenities. The Green space areas include the Trails, Buffer, and Park areas. Over 20% of the Property will be included within the Green space areas.

Block sizes are flexible in size and may adjust as the site plans and subdivision plats are developed and finalized; however, all the requirements of this Code of Development and County Ordinances must be met for each block. The proposed density of each block will be determined by both the acreage and land use of the block. No block size shall be modified more than twenty percent (20%) of the gross land area listed in Table 2 of the Code of Development. Figure 3 in the Code of Development provides the location of the development blocks within the Development and identifies the land uses for each block.

Figure 4 depicts an illustrative plan showing a potential road configuration. This plan is conceptual and is intended only to show potentially how the Property can be developed under the guidelines set forth within the Code of Development, but is not binding.

Table 2: Land Use Areas

Land Use District	Block	Area (ac)	Development Area (Roads, Lots, Buildings, Parking lots)	Green Space/ Amenities (ac)		
				Civic / Parks	Green Space/ Buffers	Total Green Space
Regional Mixed Use	**1**	9.02	5.87	0.00	3.15	3.15
Regional Mixed Use	**2**	4.35	3.70	0.00	0.65	0.65
Regional Mixed Use	**3**	8.44	6.84	0.50	1.10	1.60
Regional Mixed Use	**4**	20.90	18.60	0.00	2.30	2.30
Urban Density Residential	**5**	13.20	10.40	0.80	2.00	2.80
Urban Density Residential	**6**	6.55	4.50	0.00	2.05	2.05
TOTAL		***62.46+/-***	**49.91 (79.9%)**	**1.30 (2.1%)**	**11.25 (18.0%)**	**12.55 (20.1%)**

Notes:
1. The development areas and Green space areas may change within each block; however, the total minimum Green space/Amenities area will be met throughout the development.
2. Additional Green space may be added or expanded during the design phases to allow for additional area to accommodate utilities, stormwater management, recreational areas, and erosion control measures as necessary for the development. Also, see section 18.2.4 of the Code for additional specific requirements for the proposed Green space/Amenities within the development.
3. No block size shall be modified more than 20% of the gross land area as listed in this Table 2.
4. The civic space detailed within Block 3 on this chart may be shifted into Block 4, based on the final development of the blocks. The minimum size of the civic park must be maintained, regardless which block the civic space is constructed.

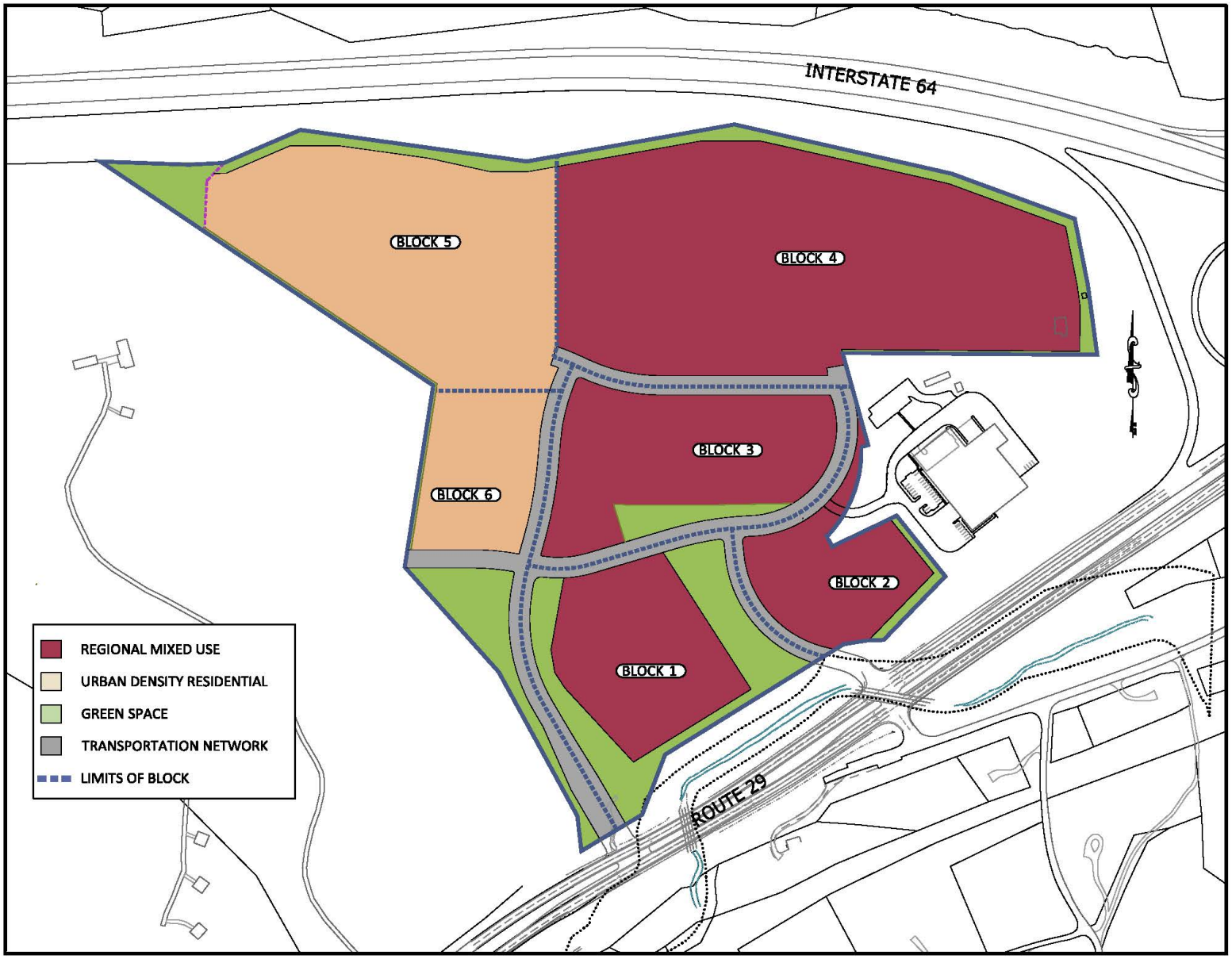


FIGURE 3: PROPOSED LAND USE DIAGRAM



FIGURE 4 : ILLUSTRATIVE CONCEPTUAL PLAN

(Note: This plan is conceptual only. The final build-out shall be determined by the allowable uses and densities noted in the Code of Development)

2.2.1 Regional Mixed-Use Category

Pursuant to Figure 3, The Proposed Land Use Diagram, many areas of the Development are designated for a flexible mix of residential and commercial uses with characteristics of a regional mixed-use area, while also allowing residential uses. The areas of the diagram labeled Regional Mixed Use are primarily intended to be commercial.

The more purely commercial areas of the Development will be located within and around the central commercial hub of the project, or Blocks 2 and 3, as shown on the Application Plan. Retail uses are situated closer to Route 29, for more convenient access, while office uses are further back into the site while also being convenient to the centralized hub of activity. The entrances into the community, perpendicular to Route 29, create and provide access to the centralized hub of activity, a vibrant center where residents, employees, visitors, and shoppers may interact within civic spaces and community areas to create the center of the community.

Table 3: Characteristics of the Regional Mixed-Use Category

Characteristic	Description	Notes
Block Size	N/A	Block lengths based on site design and development area
Civic Space	Public space for outdoor events, meetings, & gatherings (minimum 0.50 acre civic space in Block 3 or Block 4	Outdoor meeting/plaza area, clubhouse, public green space, and/or recreation areas - See Section 2.6.3 of the COD for details
Bicycle Racks	Minimum 1 bike rack space per 5000 sf of retail space	Bike racks shall be distributed throughout the Regional Mixed-Use Center
Uses	Non-residential and residential uses allowed within the blocks	See Table 7 for minimum and maximum uses within Blocks 1-4
Relegated Parking	Parking shall be relegated and/or screened from the public streets by buildings or landscape	See Section 2.11 of the COD for details on the Relegated Parking
Lot Regulations	See Table 8 of the COD	
Building Regulations	See Table 8 of the COD	
Ancillary Uses	Rest homes, assisted living facilities, nursing homes, convalescent homes, recreational areas, health clubs, community space, homestay, and hotels	Non-residential uses that will complement the residential, mixed use, retail, and office uses within the Regional Mixed-Use Center

2.2.2 Urban Density Residential

Beyond the commercial and community hub shall be an Urban Density residential area, providing varied residential options adjacent to the Regional Mixed-Use areas. The Urban Density land use districts within the Development are designed to tuck into the rear area of the site, creating an attractive streetscape while also providing civic areas geared towards residents. This Urban Density area shall also serve as a transition from the central hub of activity to the R-1 zoning areas that are adjacent to the site. Although some non-residential uses shall be allowed within these blocks, the primary land use will be residential. The Urban Density Residential designation applies to Block 5 & Block 6. Note that residential uses, as allowed within this Land Use, are also allowed within the Regional Mixed-Use Category.

Table 4: Characteristics of the Urban Density Residential Category

Characteristic	Description	Notes
Block Size	N/A	Block lengths based on site design and development area
Civic Space	Minimum of 0.80 acres minimum	Outdoor public plaza/meeting areas, clubhouse, and Recreational Amenities– See Section 2.6.3 of the COD for details
Bicycle Racks	Minimum (1) bike rack space per 5000 sf of retail space and minimum of (1) bike space per 5,000 sf of non-residential space	A clubhouse and pool shall count for a total of (5) bicycle spaces required. A tot lot recreational area shall count for a total of 3 spaces required.
Uses	Primarily Residential with some Non-residential uses permitted	See Table 7 for minimum and maximum uses within Block 5 & Block 6
Building Entrances	Primary entrance located on the front or side of the building	Buildings may have a secondary entrance on the side or rear of the building.
Roadway Network		Interparcel connections
Relegated Parking	Parking shall be relegated and/or screened from the public streets by buildings or landscape	See Section 2.11 of the COD for details on the Relegated Parking
Lot Regulations	See Table 9 of the COD	
Building Regulations	See Table 9 of the COD	
Ancillary Uses	Rest homes, assisted living facilities, nursing homes, convalescent homes, recreational areas, health clubs, and community space	Non-residential uses that will complement the proposed residential uses.

2.3 Permitted and Prohibited Uses: Residential and Non- Residential

Table 5: Permitted/Prohibited Residential Uses by Block

RESIDENTIAL USES	DISTRICT/BLOCKS	
	Urban Density Residential	Regional Mixed Use
	5 & 6	1, 2, 3 & 4
Detached Single-Family Dwelling	X	
Attached Single-Family Dwelling Units	X	X
Multifamily dwellings	X	X
Accessory uses and buildings, including storage buildings	X	X
Accessory Apartments	X	X
Carriage Unit	X	X
Home Occupation Class A	X	X
Home Occupation Class B	X	X
Homestay	X	
Group Homes	X	X
Family Day Homes	X	X

Table 6: Permitted/Prohibited Non-Residential Uses by Block

NON-RESIDENTIAL USES	DISTRICTS/ BLOCKS	
	Regional Mixed Use	Urban Density Residential
	1, 2, 3 & 4	5 & 6
Assisted Living residential facilities	X	X
Administrative professional offices	X	X
Barber, beauty shops	X	
Breweries, Wineries and Distilleries	X	
Car Wash	X	
Clubs, lodges, civic, fraternal, patriotic (reference 5.1.02)	X	X
Community Center	X	X
Commercial recreation establishments	X	X
Convenience Stores	X	
Day care, childcare, or nursery facility (reference 5.1.06)	X	
Drive-Through Window	X	
Educational, Technical and Trade Schools	X	
Restaurants (not including fast food restaurant)	X	X
Water, sewer, energy & communications facilities	X	X
Farmers' Market (reference 5.1.36) (indoor and outdoor)	X	X
Fast Food	X	
Financial Institutions	X	
Gas Station	X	
Car Charging Stations	X	X
Hardware store	X	
Health club or spa	X	X
Hotels, motels, and inns	X	X
Hospitals	X	
Indoor athletic facilities	X	X
Indoor theaters	X	
Laundries, dry cleaners	X	X
Libraries	X	X
Medical center	X	
Outdoor Amphitheatre	X	X
Outdoor eating establishments or café	X	X
Outdoor storage, display and/or sales serving or associated with a by-right permitted use, if any portion of the use would be visible from an entrance corridor.	SP	

NON-RESIDENTIAL USES	DISTRICTS/ BLOCKS	
	Regional Mixed Use	Urban Density Residential
	1, 2, 3 & 4	5 & 6
Professional offices, including medical, dental and optical	X	X
Public and private utilities and infrastructure	X	X
Public uses and buildings, including temporary or mobile facilities including schools, offices, parks, playgrounds and roads	X	X
Rest home, nursing home, and convalescent home	X	X
Retail sales and service establishments	X	X
Self-service storage facilities		
Stand-alone parking and parking structures (reference 4.12, 5.1.18)	X	X
Stormwater management facilities on an approved final site plan or subdivision plat	X	X
Swim, golf, tennis or athletic facility	X	X
Temporary construction uses (reference 5.1.18)	X	X
Temporary nonresidential mobile homes (reference 5.1.40)	X	X
Tier I & Tier II personal wireless service facilities (reference 5.1.140)	X	X
Veterinary offices and hospital*	X	
Water, Sewer, Energy & Communications Facilities	X	X
Wholesale Distribution	X	
Manufacturing/Processing/Assembly/Fabrication/Recycling	X	
Storage/Warehousing/Distribution/Transportation	X	
Laboratories/Research and Development/Experimental Testing	X	

Notes: (X) designates the use as permitted "By-right" within the block as shown.
(SP) designates the use as permitted through a "Special Use Permit process" through the County.
Reference to uses not otherwise defined or listed in this Code of Development shall be defined as listed first, in the Albemarle County Zoning Ordinance or second, in the adopted Comprehensive Plan. If no definition of the use is provided (Code of Development, Zoning Ordinance, Comprehensive Plan) then such use must be officially determined by the zoning administrator, after consultation with the director of planning, to be permitted in a particular Block pursuant to subsection 18.8.5.5.2(c)(1).
*Veterinary offices and hospital shall comply with Section 18-5.1.11 of the Zoning ordinance.

2.4 Use Definitions

Carriage Unit

The term carriage unit within this Code of Development shall be defined as follows: A separate, independent, accessory dwelling unit detached from, but located on the same parcel as the structure of and clearly subordinate to a single family detached dwelling, as distinguished from a duplex or other two-family dwelling. Notwithstanding any provisions of Section 18.5.1.34 of the Albemarle County Code, carriage units shall be permitted on lots comprised of detached single-family dwellings, subject to the following restrictions:

1. No more than one (1) carriage unit shall be permitted per each detached single-family dwelling.
2. The gross floor area devoted to a carriage unit shall not exceed thirty (35) percent of the total gross floor area of the main dwelling.
3. The gross floor area of a carriage unit shall not be included in calculating the gross floor area of the main dwelling unit for uses such as home occupations as provided in Sections 18.5.2 and 18.5.2A of the Albemarle County Code and other similar uses whose area within a dwelling unit is regulated.
4. A carriage unit shall enjoy all accessory uses availed to the main dwelling, except that no carriage unit shall be permitted as accessory to another carriage unit or accessory apartment.
5. All carriage units shall be located in the rear of the lot.
6. Notwithstanding any other requirements of this Code of Development, carriage unit setbacks shall be the same as for the principal building with which it shares a lot, except for the rear yard setback, which shall be a minimum of (5) feet.
7. Any single family dwelling containing a carriage unit shall be provided with a minimum of three (3) off-street parking spaces, arranged so that each parking space shall have reasonably uninhibited access to the street or alley, as applicable, subject to approval of the zoning administrator.
8. In blocks where carriage units shall be constructed, the alley shall be designed and constructed with a clear travel lane having a minimum width of 20 feet.

Accessory Apartment

The term accessory apartment within this Code of Development shall be defined as a separate, independent dwelling unit that is attached and within the structure of the main dwelling. Accessory apartments are subject to the requirements and conditions as set forth in Section 18.5.1.34 of the Albemarle County Code and shall not be counted toward the project density.

Amenity-Oriented Lots

Notwithstanding Section 18.4.6.1 and 18.4.6.2 of the County zoning ordinance, attached and detached residential units with the front of the unit facing a grass mall, park, green space, or any other similar amenity area (collectively, “Amenity”) are permitted throughout the development, provided that the Amenity must be at least thirty feet (30) in width, and an open area, from face of building to face of building must remain at a minimum of forty feet (40) in width. In addition, Amenity-Oriented lots shall be served by a private street. The applicant has requested a waiver of the street standards for roads serving amenity-oriented lots.

2.5 Building Form Standards

The Development is designed in accordance with the principles of the Neighborhood Model, while maintaining a level of flexibility in the product type and density of the community to adapt to current and future market conditions.

2.5.1 Density

Allowable densities within the Development have been arranged in accordance with the Albemarle County Comprehensive Plan to establish a compact form of development within the County's designated Growth Area, thus protecting the rural surroundings. Table 7 lists the allowable density range for each block (not including the acreage of the Green Space) based on unit type and mixture of uses. The Property will include a minimum of 275 residential units and a maximum of 600 residential units. Non-residential uses are capped at 440,000 square feet per the details of Table 7.

Table 7: Density Regulations

Block Number	Block Area[1] (acres)	Maximum/Maximum Use Regulations per Rezoning Plan [1, 2]				
		Residential Uses			Non-Residential Uses	
		Density Range (units)	Dwelling Unit Minimum	Dwelling Unit Maximum	Minimum Non-Residential (SF)	Maximum Non-Residential (SF)
1	5.87	0 – 34 units	0	200	0	30,000[2]
2	3.70	0 – 10 units	0	37	5,000	30,000[2]
3	6.84	0 – 15 units	0	102	25,000	140,000[2]
4	18.60	0 – 15 units	0	279	70,000	390,000[2]
5	10.40	20 – 34 units	208	354	0	50,000[2]
6	4.50	15 – 34 units	67	153	0	30,000[2]
Total Comprehensive Plan Recommended Densities:			275	1,125	100,000	670,000[2]
Total Min. & Max. Allowed Density			**275**	**600**	**100,000**	**440,000[2]**

1. Block areas are exclusive of Green Space area. A total of 12.55 acres are not included in the Density calculations for the Development.
2. Maximum non-residential square footage in each of these blocks and the total maximum non-residential square footage do not include the square footage of assisted living facilities and ancillary uses as listed in Section 2.2 of the Code of Development.
3. Assisted living facilities & rest homes, nursing homes, and convalescent homes shall qualify as meeting the residential component of the block, and shall not count against the minimum or maximum dwelling units in this block.

2.5.2 Lot Regulations and Setbacks

The setbacks, lot sizes, and lot coverages listed in the tables below shall establish the minimum separation and building requirements for the Development within the blocks as indicated. Note in the charts below that SFD= Single Family Detached and SFA= Single Family Attached.

2.5.2.1 Regional Mixed-Use Center – Blocks 1 through 4

Table 8: Lot Standards Regional Mixed-Use Center

Requirement	Minimum	Maximum	Notes
Front setback Porches	No minimum No minimum	No maximum No maximum	Exceptions to the maximum setbacks shall be considered during the site plan process
Side setback	No minimum	No maximum	Minimum 10' bldg. separation
Side, Corner Lot setback	5'	No maximum	
Rear setback	5'	No maximum	
Height	No minimum	4 stories/ 60' 5 stories/70' with Special Exception	Buildings greater than 4 stories must step back a minimum of 15 feet after the 4th story or provide a minimum 15-foot front setback or side setback adjacent to a street
Lot size	No minimum	No maximum	
Building Footprint	No minimum	160,000 sf (Non-Residential) & No maximum for Residential Units	Maximum does not apply to assisted living facilities, rest homes, recreational and civic spaces, & health clubs.

Notes:
1. Buildings over 3 stories shall require a 26' wide, exclusive of shoulders, aerial fire apparatus access road that is no more than 30' from the building to meet Fire and Rescue regulations.
2. Side and rear minimum setbacks for any primary structure shall be constructed and separated in accordance with the current edition of the Building Code.

2.5.2.2 Urban Density Residential – Blocks 5, 6 & 7

Table 9: Lot Standards Urban Density Residential

Requirement	Minimum	Maximum	Notes
Front Setback Porches	5’ minimum 4’ minimum	No maximum No maximum	Exceptions to the maximum setbacks shall be considered during the site plan process
Side Setback	5’	No maximum	Minimum 10’ bldg. separation
Side, Corner Lot Setback	5’	No maximum	
Rear Setback	10’	No maximum	
Garage Setbacks	See Figure 5	See Figure 5	
Height	No minimum	4 stories/ 60’ 5 stories/70’ with Special Exception	Buildings greater than 4 stories must step back a minimum of 15 feet after the 4th story or provide a minimum 15-foot front setback or side setback adjacent to a street
Lot size	No minimum	No maximum	
Building Footprint	No minimum	20,000sf (Non-Residential) & No maximum for Residential Units	Maximum does not apply to assisted living facilities, rest homes, recreational and civic spaces, health clubs, and multi-family buildings

Note: Buildings over 3 stories shall require a 26’ wide, exclusive of shoulders, aerial fire apparatus access road that is no more than 30’ from the building to meet Fire and Rescue regulations.

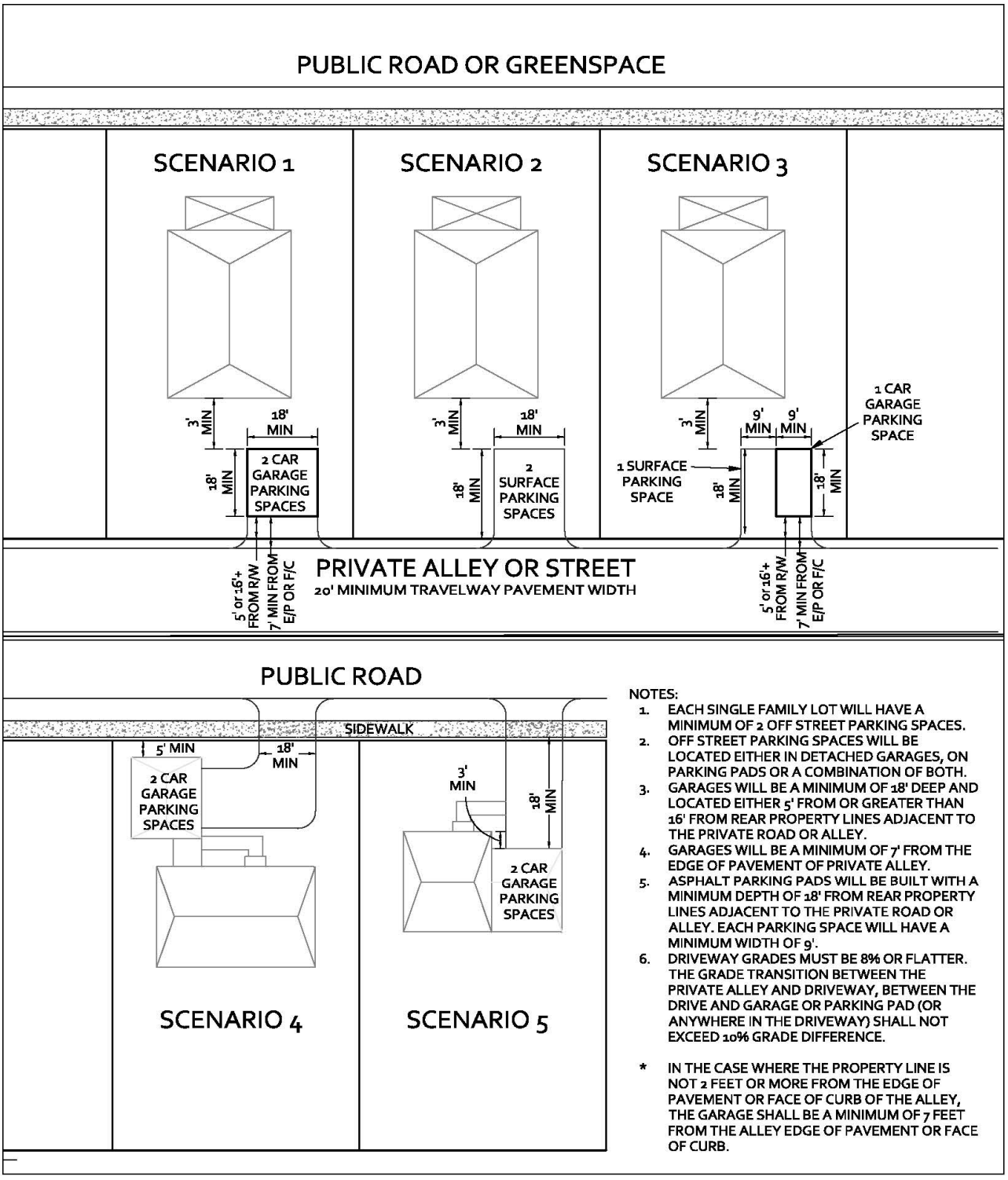


FIGURE 5: GARAGE AND DRIVEWAY EXHIBIT

2.6 Green Space and Amenities

The Development will feature over 12.55 acres of Green Space. This Green space represents more than 20% of the entire community's land area, and includes the Buffer areas, the trails, parks and civic amenity areas, preservation areas, and general green space. The Green space will not only provide a linear trail system throughout the community but shall also preserve environmentally sensitive areas such as steep slopes and natural buffers. The Green space areas shall be located outside of private lots and right-of-way. All Green space will be owned and maintained by the Homeowners Association. Establishment of the buffers, trails, and amenities within the Green space shall be the responsibility of the developer.

2.6.1 Green space

The proposed Green Space serves a dual purpose of both protecting the environmentally sensitive areas of the site and providing pedestrian access and amenities throughout the community. The Green space features primitive nature trails throughout the open areas and buffer areas.

The areas outside of the actual improved areas in the Development and not depicted as either the Buffer areas, Parks, or Trails shall be considered "Green Space". Green Space includes some of the more environmentally sensitive steep slope areas and provides a transition between the proposed lot development and stream corridors. The proposed Green Space areas will accommodate the stormwater management areas and site utilities and may be expanded during the design phases to allow for additional area to accommodate utilities, stormwater management, recreational areas, and erosion control measures as necessary for the development.

2.6.2 Buffers

Buffers are part of the Green Space Area within the Development. There are (3) proposed Buffers to be located on the Property, which are outlined below. Each of the buffers shall be established at the time of development of the individual block that contains the buffer, or prior. If the buffers as shown on the Application plan and described below are disturbed during construction (above what is permitted), additional approvals for increases in square footage and/or dwelling units (site/subdivision plans and/or building permits) will not be approved until the buffer is restored or bonded. All buffers shall be measured from the property lines or edges of the public right-of-way. Installation and maintenance of freestanding signage, pedestrian paths, and trails shall be allowable disturbances within the buffer areas. Disturbances to the Buffer for required site distances for the roadway access points as shown on the Application plan and utility connections shall also be allowed. In addition, removal and replacement of trees within the buffer shall be allowed if the Director of Community Development determines that the existing tree or trees create a substantial risk to people or property. Proposed replacement plantings shall be selected from the County's Native Plant Database. Buffers shall not be located within any private lot, and the buffer shall be owned and maintained by the Homeowners Association. In addition, a mitigation plan will need to be approved for any disturbances to the WPO buffers.

Table 10: Buffer Classifications

Buffer	Buffer Width	Description	Notes
Route 29 Buffer	30 feet wide Buffer	Buffer along Route 29 to screen development from Entrance Corridor.	1. 30' portion of the buffer may be disturbed for grading within the development and shall be replanted with a mixture of deciduous and evergreen shrubs and trees to be approved by the Director of Planning. 2. (2) proposed road connection points within the Route 29 buffer – see Application plan. 3. Stormwater management facilities shall be located outside of the Route 29 buffer.
Perimeter Buffer	10 feet wide Buffer	Natural undisturbed buffer or replanted/landscaped buffer between the development and the adjacent properties	1. Any portion of the Perimeter Buffer that is not currently wooded or that is disturbed during the grading for the development or roadway improvements shall be planted and screened with a mixture of deciduous and evergreen shrubs and trees to be approved by the Director of Planning. 2. (1) proposed connection point within the perimeter buffer – see Application plan for location. 3. The perimeter buffer does not apply to the boundary between the subject rezoning property and the existing distributorship (TMP 75-55D) 4. Stormwater management facilities shall be located outside of the perimeter buffer.
Interstate 64 Buffer	30 feet wide Buffer	Natural undisturbed buffer or replanted/landscaped buffer between the development and Interstate 64	1. Any portion of the Interstate 64 Buffer that is not currently wooded or that is disturbed during the grading for the development or roadway improvements shall be planted and screened with a mixture of deciduous and evergreen shrubs and trees to be approved by the Director of Planning. 2. Stormwater management facilities shall be located outside of the Interstate 64 buffer.

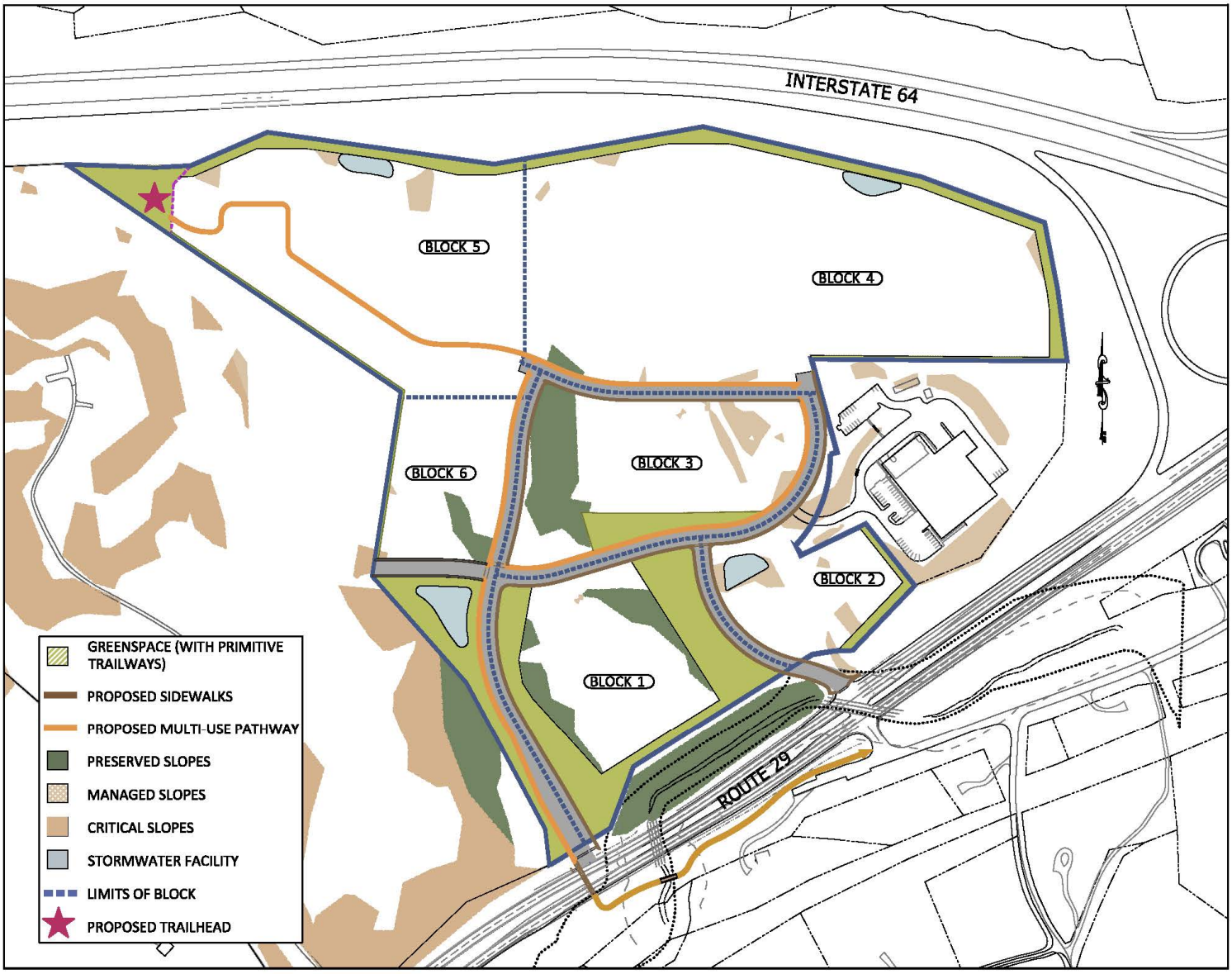


Figure 6: GREEN SPACE AND TRAILWAYS

2.6.3 Civic Spaces and Recreational Amenities

The Application Plan shows the approximate location of (2) Civic Spaces to be located within the Development, which are in addition to the trailways and passive recreational spaces provided along the streams within the Green Space areas. These spaces are designed to provide recreational and civic amenities to the community. The Civic Spaces shall include some combination of the following: parks, pocket parks, meeting areas, public plazas, and recreational amenities for Property residents and visitors, as noted in Table 11. The Mixed Use Civic Space is a public gathering area and all trail systems on the Property are open and available to the public. Recreational facilities in each block shall be completed at or before when 50 percent of the units have received certificates of occupancy.

Table 11: Civic Space / Recreational Amenities

Civic Space	Minimum Area per Civic space	Location	Notes
Mixed Use Center – Civic Space #1	0.50 acres	Block 3 and/or Block 4	1. Outdoor plaza/outdoor meeting space within the mixed use center (minimum 10,000 sf) and/or Pool and Community Center building (minimum 7,500 sf pool + outdoor pool deck area) 2. Green space grass area and/or pond within the mixed use center for gatherings and active outdoor play (minimum 12,000 sf total area)
Upland Park & Recreational Areas – Civic Space #2	0.80 acres	Block 5	1. Pool and Community Center building (pool + outdoor pool deck area) and/or outdoor plaza/ gathering area (minimum 7,500 sf) 2. Recreational play areas or residential amenities (minimum 16,000 sf area) 3. Tot Lot (minimum 6,000 sf area) 4. Minimum 5 spaces for public use for trail parking area. Note: additional public trail parking spaces may be provided, to be determined with the site plan. Timing of the trailhead parking area to be coordinated with ACPR. 5. Trail connections to the Property trail network and future Hedgerow Park. Note: All trails are open to the public. Timing of the trailway connection to be coordinated with ACPR.

2.7 Phasing

The land disturbance and grading for the Development will be determined during the site plan review process. The site may be developed in one or multiple phases.

2.8 Stormwater Management

All designs and engineering for improving the Property will adhere to the State Stormwater Management regulations and Albemarle County Water Protection Ordinance. A master stormwater management plan shall be completed and submitted to Albemarle County for review and approval, prior to the approval of the first initial site plan or subdivision plat. Stormwater management facilities shall be located outside of the buffer areas, development lots, preserved slopes, trail areas, steam buffers, and floodplain on the Property. Additional protective measures for erosion and sediment control shall be installed along the limits of the trails to protect the existing perennial streams on the Property. Additional measures may include, but not be limited to, installation of silt fence with wiring backing along the stream buffers, usage of filter socks and floc logs for protection measures along the stream buffers, providing additional wet and dry storage area in basins below the disturbed areas, or installation of erosion control matting for all slopes with the use of tackifiers in seeding and soil stabilization applications.

2.9 Grading

The vision for the Development is to respect the existing topography and natural landscape, when possible. An overlot grading plan shall be reviewed and approved in conjunction with the master stormwater management plan for the development during or prior to the approval of the first site plan or subdivision plat. Retaining walls will be required, due to the topographic challenges of the Property. The final design of the retaining walls shall be included with the site and subdivision development plans for the Development. The following standards shall apply to retaining walls:

1. The maximum height for a single retaining wall shall be 6 feet. Retaining walls over 6 feet in height, as measured from the top of the wall to finished grade at the bottom of the wall, shall be allowed at the discretion of the Director of Community Development. The overall retained height may exceed six feet with multiple stepped retaining walls.
2. Retaining walls greater than 700 feet in length shall be allowed at the discretion of the Director of Community Development.
3. Landscaping shall be installed at the base and/or top of the retaining walls to integrate the walls into the site and help reduce the massing.
4. Retaining walls visible from the public streets or civic areas shall be compatible with the adjacent building architecture materials and/or colors.

2.10 Transportation

2.10.1 Street Network

In accordance with Albemarle County's Neighborhood Model for Development, the Development is designed to facilitate multi-modal transportation, with an emphasis on pedestrian usage, bicycling, and transit. These modes of transportation have been contemplated in the design of the streets, streetscape, and transportation infrastructure within the community. The design of the streets will comply with the Virginia Department of Transportation (VDOT) Standard Street Requirements, interconnecting when possible in a general grid pattern but recognizing that interconnection is not possible in all areas of the site due to topography. See figure 4 for an illustrative drawing of the site. Roadways shall include sidewalks and street trees in accordance with Albemarle County regulations. Alleys shall be allowed within each block of the development and shall meet the requirements of Albemarle County standards. Any alley providing access to a carriage unit shall have a minimum clear travel lane width of 20 feet. A proposed transit stop will be installed with the Block 3 site plan and improvements.

Table 12: Street Network Chart

Roadway	Travelway	Bike lanes	Parking	Sidewalk & Street Trees	Speed Limit (max)	Notes
Neighborhood Streets – Public VDOT Roads	2-way traffic w/ curb/gutter	No	Yes	Yes	25 mph	1. Parking one side only to maintain minimum Fire/Rescue travelway
Connector Roads – Public VDOT Roads, Private Roads, or Travelways	2-way traffic w/ curb & gutter	No	Allowed as noted. (See notes section and cross section)	Yes	25 mph	1. Parking is not currently anticipated along the connector roads; however, any on-street parking will be located outside of travel lanes with bump-out parking spaces for on-street parking (see Figure 8 note) 2. Lots fronting on connector road shall have driveway access from an alley. 3. Optional landscape median (6' min. width) 4. Portion of the connector road adjacent to block 3 and 4 may be a private road or travelway, based on the final Block design. 5. 10' Multi-Use Pathway on one side of the roadway (see Application Plan)
Private Streets – Private streets, Private travelways, & Private streets serving Amenity-Oriented Lots Roads	2-way traffic w/ curb & gutter	No	Yes, parallel spaces along private streets & perpendicular spaces allowed along travelways	Yes	25 mph	1. Sidewalk located adjacent to the Public amenity space. 2. Street Trees located adjacent to the Public Amenity space. 3. Private Road to be constructed to County/VDOT Standards. 4. Only allowed as specified by the Subdivision Ordinance or Zoning Ordinance

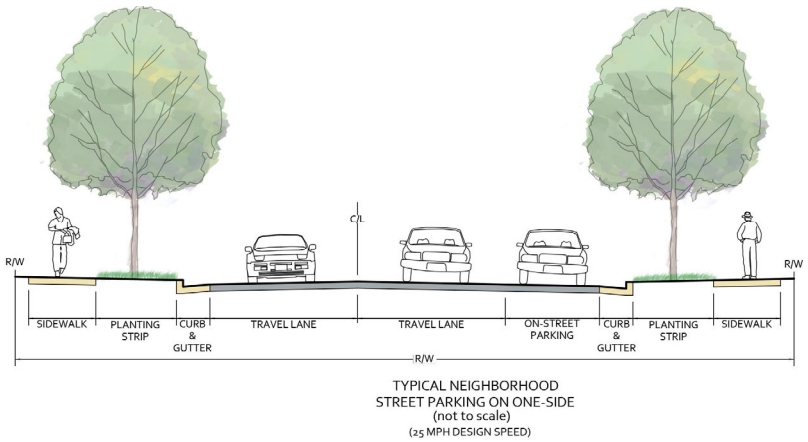


FIGURE 7: NEIGHBORHOOD STREET CROSS SECTION

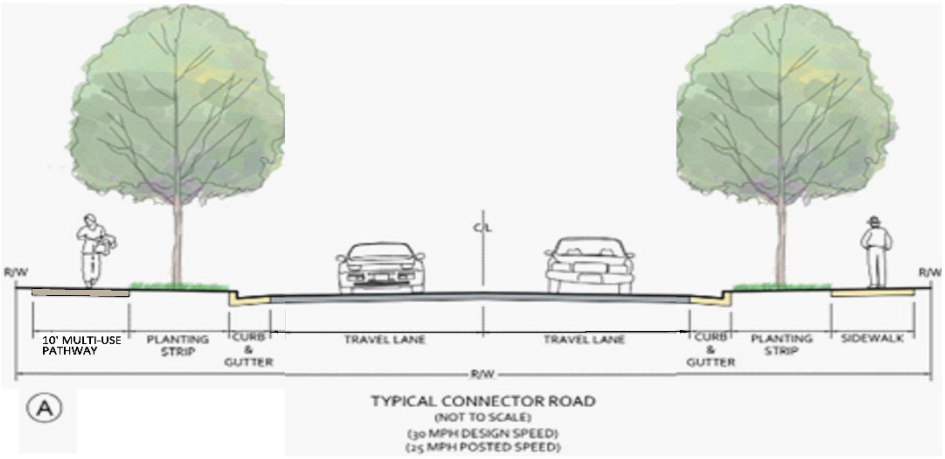


FIGURE 8: CONNECTOR ROAD CROSS SECTION

(Note: Any on-street parking shall include bump-outs for the parking spaces, outside of the travel lanes)



FIGURE 9: PRIVATE STREET CROSS SECTION FOR AMENITY ORIENTED LOTS

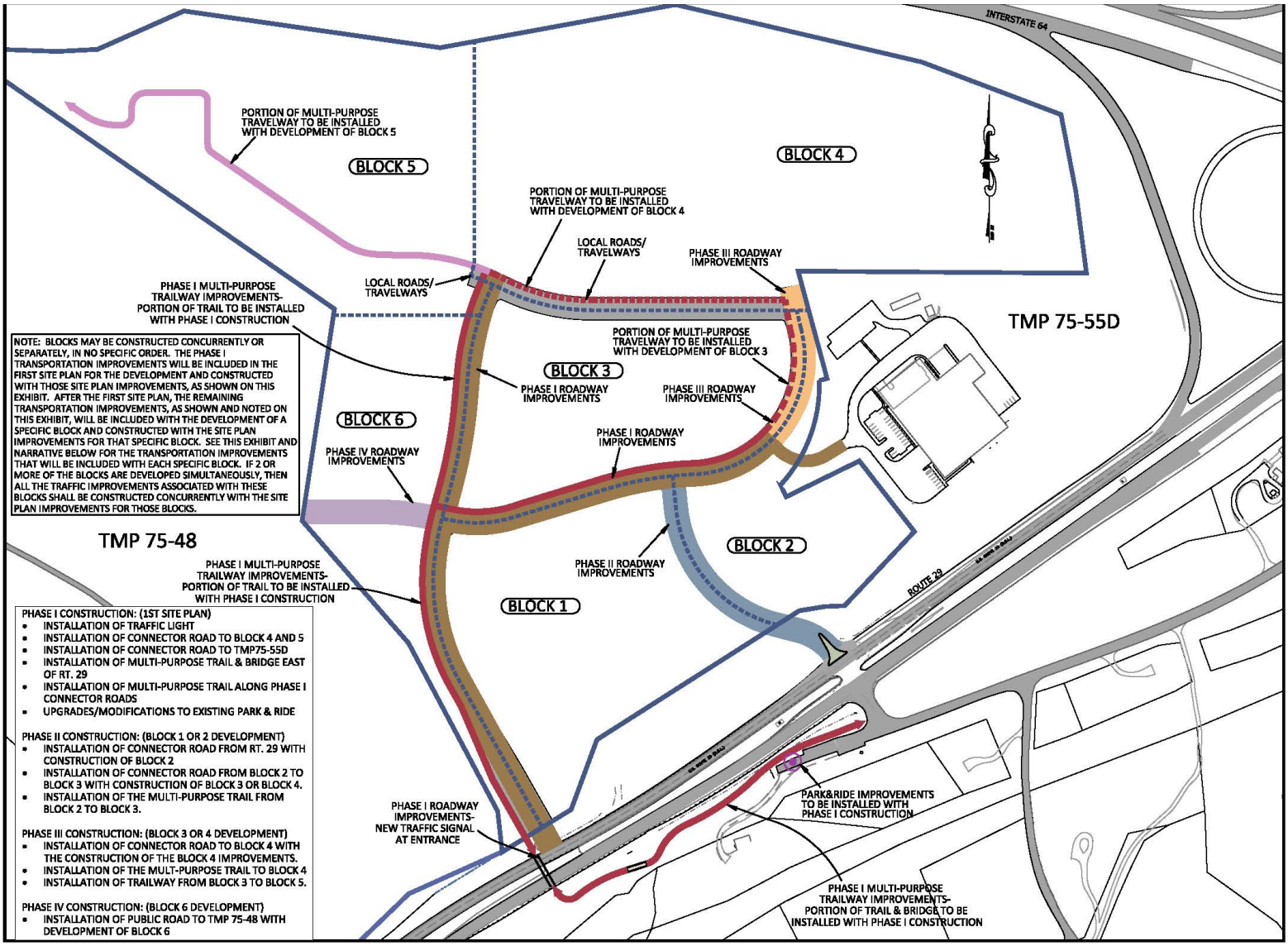


FIGURE 10: TRANSPORTATION PHASING EXHIBIT

2.10.2 Pedestrian Network

The Development will feature an extensive pedestrian network, including sidewalks and trails, as depicted on the Application Plan and as noted in this Code of Development. In addition to providing recreational opportunities, the pedestrian network will provide routes for residents to walk between areas of the site and to public places such as the parks, community areas, and the neighborhood center. Sidewalks shall be constructed in accordance with VDOT and Albemarle County standards, and will either be located within public access easements or public right-of-way. The pedestrian network will also connect to the larger trail network of the Hedgerow Property, Ragged Mountain and other City and County parks, providing a valuable amenity for residents of a visitors to the site.

2.10.3 Park and Ride & Transit Stop

An existing Park and Ride parking lot is located at the end of Teel Lane. The applicant is proposing to help improve and/or upgrade this Park and Ride facility with this application plan. The exact upgrades and/or modifications of the existing facility will be determined during the site plan review process. The proposed modifications and improvements will be consistent with the cost of providing approximately (25-30) additional parking spaces in this area. The upgrades and/or modifications to the existing Teel Lane Park and Ride will be constructed with the Phase I transportation improvements.

A transit stop shall also be provided within the Sieg Development in the vicinity of Block 3 for central access to the stop. The transit stop shall be constructed in accordance with County or the transit service requirements. The transit stop parking area shall be constructed with the Block 3 transportation improvements.

2.10.4 Traffic Improvements

All traffic improvements are identified in the Traffic Impact Analysis (TIA) report for the Property and updated TIA supplemental reports.

2.11 Parking

All parking throughout the Development shall be provided in accordance with Section 18.4.12 of the Albemarle County Code. Shared parking shall be allowed within the Regional Mixed Use Center, in accordance with Section 18.4.12 of the Zoning Ordinance and as approved by the Zoning Administrator. Parking lots shall be relegated and/or screened from the streets by buildings, landscaping, walls, fences, or a combination of various practices, and as noted in table 13. Screening may include landscaping screening, shrubbery, fencing, decorative walls, or other vegetative screening alternatives. All tree canopy landscaping requirements within the parking areas shall conform to the landscaping standards as specified in the Albemarle County Zoning Ordinance Section 18.32.7.9. All lots that include a carriage unit shall provide a minimum of (2) off-street parking spaces. See Figure 5 of the Code of Development for parking and garage setbacks.

Table 13: Relegated Parking Guidelines

Type of Relegated Parking	Minimum Setback	Location	Notes
Parking as an Accessory Use	10’ front parking setback from r/w 6’ front parking setback from travelway. 6’ side and rear parking setback from r/w.	Regional Mixed Use and Urban Density areas	1. Parking lots shall be screened from public r/w with evergreen shrubs or 4’ max. height opaque wall. 2. Walls or fences used to augment screening shall be a minimum of 42” in height.
Parking as a Primary Use (Stand along Parking)	10’ front parking setback from r/w. 6’ front parking setback from travelway. 6’ side and rear parking setback from r/w.	Regional Mixed-Use Center and Urban Density Areas	1. Parking lots shall be screened from public r/w with continuous evergreen shrubs or 4’ max. height opaque wall. 2. Walls or fences used to augment screening shall be a max. of 42” in height.
Front loaded Garages	3’ behind the front building face of the house or porch	Urban Density Area	1. Garages shall be stepped back from the front of the residential homes for relegated parking. 2. See Figure 5 of the Code of Development for setbacks from sidewalks and public streets

2.12 Floodplain

A 100-year floodplain currently exists on the Property along the Route 29 frontage, according to FEMA floodplain maps. The current floodplain mapping is not based on updated topography for the Property. With the updated topography from the recently performed aerial survey, the floodplain mapping for the Property will be updated. This process will require a FEMA floodplain map revision or LOMR. In addition, with the proposed improvements Route 29 for the entrances and entrance improvements may require a modification to the floodplain. This will also require a FEMA floodplain map revision, or LOMR-F. Both map revisions will be processed through Albemarle County and FEMA in conjunction with the development of the Property.

2.13 Trailways

The Development shall include a trailway network through the Green space area as shown on the Application Plan and in Figure 6, connecting the areas of development throughout the property and providing pedestrian connections to the Regional Mixed-Use Center. Trails will also provide a future access point that will connect to the Hedgerow Park property and future bike and

pedestrian trails it will include. The trails on the Property will be part of a much larger network connecting miles of bike and commuter trails throughout Charlottesville and Albemarle County. The trailways shall be constructed with the adjacent development in each block. All trailway improvements shall be completed prior to the 600th certificate of occupancy, and the timing of the installation of the trailways shall be tracked with each subdivision plat and site plan.

Multi-use Pathway

The pedestrian pathway from the Route 29 trailhead to the proposed trailhead within Block 5 shall be a 10' multi-use pathway, as shown on the Application plan. This trailway along the connector road and the portion of the pathway East of Route 29 shall be installed with the Phase I improvements and the portion of the trailway from the connector road to the trailhead in Block 5 shall be developed with the Block 5 improvements. The trailway along the connector road adjacent to block 3 and extending to Block 4 shall be installed with the Phase II / Phase III transportation improvements. With the construction of the Block 4 improvements, a 10' multi-purpose trail shall be installed through the block 4, as noted on the Application Plan.

Primitive Trail

In addition, trailways are proposed within the Greenspace areas. These trails will be classified as primitive nature trails and will be designed in accordance with the primitive nature trailway design specifications as outlined in the Albemarle County Engineering Design manual.

All trailway connections throughout the Property shall be installed and completed with the development of the specific block. These trailway connections to the Green space trail may be a primitive nature trail, a high maintenance stone dust or gravel pedestrian path, or a low maintenance asphalt path. Trailways may be extended into future blocks within the Development, but at a minimum, the network will follow in concept what is shown on Figure 6 and within the Application plan and Trailway exhibits.

2.14 Utilities

All water and sanitary sewer extensions and connections shall be completed in accordance with ACSA requirements. The developer is extending water and sanitary sewer utilities to the Property for the proposed development. The proposed water infrastructure shall connect to the current Mosby Mountain pressure zone, extending the utility infrastructure from the Redfields development across Route 29 and routing through the development blocks for water service. In addition, a second waterline connection and booster pump will be required for the development, which shall be extended from the Urban Ring pressure zone. The proposed onsite pump station will boost the pressure of the flow from the Urban Ring pressure zone to the Mosby Mountain zone pressure. These improvements and facilities will be reviewed, approved, and accepted by VDH and ACSA. ACSA will own and maintain all water and sewer infrastructure, including any booster pumps to service the development.

The development will also require the extension of the offsite sanitary sewer to the

development. A flow capacity certification will be requested from RWSA during the review and approval process for each proposed phase of development. All proposed dwelling units shall connect to the public sanitary sewer lines.

A utility master plan shall be submitted to the Albemarle County Service Authority for review and approval, prior to the approval of the first initial site plan or subdivision plat.

3. Architectural, Lighting, Signage and Landscape Standards

3.1 Architectural Standards

The standards provided in this Code of Development are intended to define the elements of architecture that will ensure a high-quality development of varied styles that still complement one another. An architectural review board will be established for the Development at the time of the first subdivision plat approval and recordation of covenants and restrictions. All structures will be subject to review by the Sieg Architectural Review Committee to ensure that conformity with the architectural and landscaping guidelines is achieved.

Portions of the Development shall also be subject to review by the Albemarle County Architectural Review Board, which has purview over the County's Entrance Corridors. Route 29 and Interstate 64 are considered Entrance Corridors; therefore, buildings and site development within the Route 29 & Interstate 64 viewsheds and overlay districts shall be subject to review under the Albemarle County Architectural Review Board Certificate of Appropriateness process.

As specified in section 18-20A.5.g of the Albemarle County Zoning Ordinance, the following standards are established for various elements of architecture and streetscapes. The Architectural Review Committee may allow modifications or variances from the Architectural Design Guidelines, as listed below. These modifications shall be made on a case-by-case basis.

Below are various standards intended to address the Architectural form, massing, proportions of structures, and Architectural Styles for the development

1. Building facades shall include breaks across the façade at a minimum of every 80 linear feet to vary the form and features of the building. Building step backs, entrances, windows, changes in building material, and other architectural elements all can be utilized to achieve breaks within the building façade.
2. Primary entrances for all non-residential buildings shall be located either on the front of the building or side of the building facing the public right of way or civic Green space area. Additional secondary entrances may be utilized in the rear of the buildings.
3. Parking shall be relegated and/or appropriately buffers, see Parking specifications with the Code of Development, Section 2.9.
4. Building heights shall vary throughout the Development.
5. Porches or the front of single family detached houses shall face the public streets or Green spaces. Porches may project up to 3 feet within the required front yard setback,

but in no case shall they be closer than 2 feet to any property line.

6. Architectural features and overhangs shall be permitted to project up to 1' within any required yard setback.

3.2 Lighting Standards

All outdoor lighting throughout the Development shall be full cut-off fixtures. The outdoor lighting throughout the development shall also meet the lighting regulations found within Section 18-4.17 of the Albemarle County Zoning Ordinance.

3.3 Signage Standards

All signage within the Development shall conform to the Albemarle County Zoning Ordinance Section 18.4.5.11.

3.4 Landscaping Standards

The standards provided in this Code of Development are intended to define the elements of the landscaping, screening, and buffering for the project. All landscaping shall conform to the landscaping standards as specified in the Albemarle County Zoning Ordinance Section 18.32.7.9.

3.4.1 Street Trees

Street trees will be provided throughout the Development, in planting strips, as specified in the transportation section of the Code of Development. The street trees shall be in accordance with the approved VDOT street trees as outlined in the VDOT design manual and regulations. Spacing of street trees shall be planted in accordance with Section 18.32.7.9 of the Albemarle County Code for Landscaping and Screening requirements. Street trees along the new access road into the development from Route 29 and along any other public streets within view from the entrance corridor shall be subject to the approval of the Albemarle County Architectural Review Board and shall meet the requirements outlined in the Architectural Review Board Design Guidelines. All other landscaping shall be subject to Section 18.32.7.9 of the Albemarle County Code for landscaping and screening requirements.

3.4.2 Buffer

See Code of Development Section 2.6.2 and Table 10 for design standards and requirements for exterior landscaping buffers around the Development.

3.4.3 Tree Preservation Guidelines

Preservation measures shall be administered to trees within wooded areas to be maintained within the Green space areas and Buffers as delineated in the Application Plan, with enhanced preservation efforts directed toward trees with trunk diameters greater than 18 inches at breast height. Tree preservation shall be in accordance with the Albemarle County Conservation Plan

Checklist and Tree Preservation & Protection, chapter 3.38 of the Virginia Erosion and Sediment Control Handbook.

3.5 Streetscape Treatments

Within the Regional Mixed- Use Service Center district, a significant amount of street furniture, signage, and lighting will be provided, including trash receptacles, benches and bicycle racks. These amenities will foster a pedestrian-oriented streetscape. Bicycle racks will be located throughout the Urban Density areas, as well as the civic spaces to promote alternative transportation to these areas.

4. Affordable Housing.

The Owner or its successors in interest reserve the right to meet the Affordable Housing Requirement through a variety of housing types, including but not limited to, for-sale units or rental units or payment of cash-in-lieu. This development shall provide a minimum of 10% of the total residential units as affordable to households with income less than 80% area median income (AMI) and a minimum of 10% of the total residential units will be affordable to households at 60% AMI as outlined below:

4.1 For-Sale Affordable Dwelling Units

The Owner may meet the Affordable Housing Requirement by constructing Affordable Dwelling Units. For purposes of this section 4, "Affordable Dwelling Unit" shall mean any unit affordable to households with incomes less than eighty percent (80%) of the area median income (as determined from time to time by the Albemarle County Office of Housing.") such that housing costs consisting of principal, interest, real estate taxes and homeowners insurance (PITI) do not exceed thirty percent (30%) of the gross household income; provided, however; that in no event shall the selling price for such affordable units be more than sixty-five percent (65%) of the applicable Virginia Housing Development Authority (VHDA) maximum sales price/loan limit for first-time homebuyer programs at the beginning of the 180-day period referenced in requirement 1(A)(1) hereof (the "VHDA Limit"). The Owner shall impose by contract the responsibility herein of constructing and selling the Affordable Dwelling Units to any subsequent owner or developer of the Property (or any portion thereof). Such subsequent owner(s) and/or developer(s) shall succeed to the obligations of the Owner under this section; and the term "Owner" shall refer to such subsequent owner(s) and/or developer(s), as applicable.

Role of Albemarle County Office of Housing. All purchasers of the for- sale Affordable Dwelling Units shall be approved by the Albemarle County Office of Housing or its designee (the " Community Development Department"). At the proposed time of construction of any Affordable Dwelling Unit, the Owner shall provide the Office of Housing a period of one hundred eighty (180) days to identify and approve an eligible purchaser for such affordable unit. The

180-day qualification period shall commence upon written notice from the Owner to the Office of Housing of the approximate date the Unit is expected to receive a certificate of occupancy from the County (the "Notice"). Such Notice shall be given no more than ninety (90) days prior to the expected issuance of the certificate of occupancy, and the 180-day approval period shall extend no less than ninety (90) days after the issuance of the certificate of occupancy. Nothing in this requirement shall prohibit the Office of Housing from providing the Owner with information on income eligibility sufficient for the Owner to identify eligible purchasers of Affordable Dwelling Units for approval by the Office of Housing. If, during the 180-day qualification period, (i) the Office of Housing fails to approve a qualified purchaser, or (ii) a qualified purchaser fails to execute a purchase contract for an Affordable Dwelling Unit, then, in either case, the Owner shall have the right to sell the Unit without any restriction on sales price or income of the purchaser(s), and such unit shall be counted toward the satisfaction of this requirement. This requirement shall apply only to the first sale of each of the for-sale Affordable Dwelling Units. For the purposes of this requirement, such Affordable Dwelling Units shall be deemed to have been provided when the subsequent Owner/builder provides written notice to the Office of Housing or its designee that the unit(s) will be available for sale.

Tracking. Each subdivision plat and site plan for land within the Property shall: i) designate the lots or units, as applicable, that will constitute Affordable Dwelling Units within the Project and ii) contain a running tally of the Affordable Dwelling Units either constructed or contributed for under this section. The designated lots or units shown on the applicable subdivision plat or site plan may not be shown as being constructed in a future phase.

4.2 For-Rent Affordable Dwelling Units.

Rental Rates. The net rent for each rental housing unit which will qualify as an affordable dwelling unit (“For-Rent Affordable Dwelling Unit”) shall not exceed HUD’s affordability standard of thirty percent (30%) of the income of a household making eighty percent (80%) or sixty percent (60%) of the area median income (as determined by HUD periodically). In each subsequent calendar year, the monthly net rent for each For-Rent Affordable Dwelling Unit may be increased up to three percent (3%). The term “net rent” means that the rent does not include tenant-paid utilities. The requirement that the rents for such For-Rent Affordable Dwelling Units may not exceed the maximum rents established in this section shall apply for a period of ten (10) years following the date the certificate of occupancy is issued by the County for each For-Rent Affordable Dwelling Unit, or until the units are sold as low or moderate cost units qualifying as such under either the Virginia Housing Development Authority, Farmers Home Administration, or Housing and Urban Development, Section 8, whichever comes first (the “Affordable Term”).

Conveyance of Interest. All deeds conveying any interest in the For-Rent Affordable Dwelling Units during the Affordable Term shall contain language reciting that such unit is subject to the terms of paragraph 1B. In addition, all contracts pertaining to a conveyance of any For-Rent

Affordable Dwelling Unit, or any part thereof, during the Affordable Term shall contain a complete and full disclosure of the restrictions and controls established by this paragraph 1B. At least thirty (30) days prior to the conveyance of any interest in any For-Rent Affordable Dwelling Unit during the Affordable Term, the then-current Owner shall notify the County in writing of the conveyance and provide the name, address and telephone number of the potential grantee, and state that the requirements of this section have been satisfied.

Reporting Rental Rates. During the Affordable Term, within thirty (30) days of each rental or lease term for each For-Rent Affordable Dwelling Unit, the then- current Owner shall provide to the Office of Housing a copy of the rental or lease agreement for each such unit rented that shows the rental rate for such unit and the term of the rental or lease agreement. In addition, during the Affordable Term, the then-current Owner shall provide to the County, if requested, any reports, copies of rental or lease agreements, or other data pertaining to rental rates as the County may reasonably require.

For-Rent Affordable Dwelling Unit Method of Calculation. The following language provides an in depth method of calculating rental rates for this development that should utilize the current HUD Area Median Income amount. For the purposes of demonstrating this method, the HUD Area Median Income (AMI) for Albemarle County, as shown on the Virginia Housing website, is $93,700.00. For the purposes of this calculation, it is assumed that two people reside in a one-bedroom unit, that four people reside in a two-bedroom unit, and that six people reside in a three-bedroom unit. Therefore a .8 household multiplier is applied to a one-bedroom unit, a 1.0 household multiplier is applied to a two-bedroom unit, and a 1.16 multiplier is applied to a three-bedroom unit. As listed on the Virginia Housing website, the 80% income limit ($74,950) is for a four-person household. Therefore, a two-person household has a maximum income limit of $59,960 (80% x .8 household multiplier), a six-person household has a maximum income limit of $88,942 (80% x 1.16 multiplier), and the initial net rent rate for affordable units must not exceed the amounts listed below:

One-bedroom unit: $1,499 (80% of current year AMI of $93,700 x .8 household multiplier = $59,960 x 30% (approved percentage of household income applicable to rent) = $17,988 annual rent ÷12 = $1,499 monthly rent)

Two-bedroom unit: $1,873.75 per month (80% of current year AMI of $93,700 x 1.0 household multiplier = $74,950 x 30% (approved percentage of household income applicable to rent) = $22,485 annual rent ÷ 12 = $1,873.75 monthly rent).

Three-bedroom unit: $2,173.55 per month (80% of current year AMI of $93,700 x 1.16 household multiplier (approved percentage of household income applicable to rent) = $86,942 x 30% = $26,082.60 annual rent ÷ 12 = $2,173.55 monthly rent).