Original Proffers ___X_____
Amendment _____

DRAFT PROFFER STATEMENT

ZMA Number and Name:	2024-00007 Beaver Hill Manufactured Home Park
Parcel ID Numbers:	05700-00-00-00800
Owner:	Sonnys Homeplace LLC
Date of Proffer Signature:	XX, 2026

23.02 acres to be rezoned from RA Rural Areas to R-4 Residential

---

Sonnys Homeplace LLC is the owner (the "Owner") of Tax Parcel 05700-00-00-00800 (the "Property"), a 23.02-acre portion of which is the subject of rezoning application ZMA No. 2024-00007, a project known as "Beaver Hill Manufactured Home Park" (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 Property if it is rezoned to the requested zoning district, R-4 Residential. These conditions are proffered as a 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 §18-15.2.2.2 of the Albemarle County Code 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 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. MAXIMUM DENSITY: The maximum number of dwelling units within the Project shall not exceed ninety-two (92).

3. AFFORDABLE HOUSING:

The Owner shall provide a minimum of twenty percent (20%) of all manufactured homes realized as a result of rezoning (49 units) as affordable rental units.

A. Household Income Eligibility

The affordable rental units shall be made available exclusively to households earning no more than sixty percent (60%) of the Area Median Income (AMI), as determined annually by the U.S. Department of Housing and Urban Development (HUD) and adopted by Albemarle County.

B. Rent Limitations

The maximum monthly rent, including utilities, for each affordable unit shall not exceed an amount equal to sixty-five percent (65%) of one-fourth (25%) of the annual AMI, adjusted for unit size using the affordability adjustment factors published by Albemarle County. The AMI and adjustment factors in effect at the time of lease shall govern.

C. Affordability Term

Each affordable rental unit shall remain affordable for a minimum of ten (10) years from the date of initial occupancy. During this affordability period, the units shall be leased exclusively to income-eligible households in compliance with the rent limitations described above.

D. Conveyance of Interest: All deeds conveying any interest in the affordable rental units during the Affordable Term shall contain language reciting that such unit is subject to the terms of this proffer. In addition, all contracts pertaining to a conveyance of any affordable rental unit, or any part thereof, during the Affordable Term shall contain a complete and full disclosure of the restrictions and controls established by this Section. At least thirty (30) days prior to the conveyance of any interest in any affordable rental unit during the Affordable Term, the then-current Owner shall notify Community Development in writing of the conveyance and provide the name, address and telephone number of the potential grantee, and state that the requirements of this proffer have been satisfied.

E. Reporting Rental Rates and Income Limits: During the Affordable Term, within thirty (30) days of each rental or lease term for each For-Rent Affordable Dwelling Unit, the Owner shall provide to Albemarle County Community Development, or designated department, 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 as well as the gross household income of the household occupying the affordable rental unit. In addition, during the Affordable Term, the Owner or its successor shall provide to the Community Development Department, if requested, any reports, copies of rental or lease agreements, or other data pertaining to rental rates as Community Development may reasonably require.

F. Tracking: Each site plan containing residential units for land within the Project shall designate lots or units, as applicable, that will satisfy the 20% affordable housing requirement. Such subdivision plat(s) or site plan(s) shall not be required to identify the method by which the 20% affordable housing requirement will be satisfied. The aggregate number of such lots or units designated for affordable units within each site plan shall constitute a minimum of twenty percent (20%) of the lots or units in such site plan unless such site plan does not contain any residential uses. The Owner, at the Owner's option, may accelerate the provision of affordable units ahead of the affordable housing requirement and shall be entitled to receive credit on future site plan(s) for any such units provided beyond the affordable housing requirement.

(Signature Page Immediately Follows)

WITNESS the following signature:

OWNER:

Owner of Tax Parcels 05700-00-00-00800:

SONNYS HOMEPLACE LLC

_____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF_____, to wit:

The foregoing instrument was acknowledged before me this ____day of _____2026 by Sonnys Homeplace LLC.

My Commission expires: _____ _____
Notary Public