

be applied to the Property if the ZMA is approved by Albemarle County. These conditions are proffered as part of the ZMA and it is agreed that: (1) the ZMA itself gives rise to the need for the conditions, and (2) such conditions have a reasonable relation to the rezoning requested.

1. Plan Exhibits.

1.1 Exhibits not in the Code of Development. The following exhibits which are not part of the General Development Plans or the Code of Development are proffered as a part of this rezoning:

- Exhibit 14 Archaeological Survey Summary
- Exhibit 15 Architectural Reconnaissance Survey

* 2. Affordable Housing.

2.1 Cash Contribution. Owner shall contribute to Albemarle County a minimum of one thousand dollars (\$1,000) per single family detached dwelling unit, seven hundred fifty dollars (\$750) per single family attached or townhouse unit, and five hundred dollars (\$500) per multi-family condominium unit. The cash contribution shall be due and payable with each application for a building permit. This cash proffer shall not apply to Carriage House units or multi-family rental housing. This cash contribution shall be used for the purpose of funding affordable housing programs including those provided by nonprofit housing agencies within Albemarle County. If this cash contribution has not been exhausted by the County for the stated purpose within ten (10) years from the date of the last payment of the contribution, all the unexpended funds shall be refunded to the Owner.

2.2 Carriage House Units. Owner proffers to require through the lot sale contracts on the Property the construction of a minimum of 103 Carriage House Units on the Property that meet the requirements for a single family dwelling as defined in the Virginia Uniform Statewide Building Code. Each Carriage House Unit shall conform to the Code of Development, Appendix A, Carriage House Units, General Standards. Each Carriage House Unit shall be on the same parcel as the primary dwelling unit to which it is accessory. Carriage House Units may not be subdivided from the primary residence. The subdivision restriction shall be described on the plat creating such parcels and be incorporated into each deed conveying title to such parcels.

3. Open Space and Greenways.

3.1 Open Space The Owner shall restrict from development all open space areas which are areas not shown as development parcels on the General Development Plan. In no event shall the total area of open space areas, which include the preservation areas, conservation areas, greenway (defined in 3.2 below), buffer and park areas shown on Exhibits 5A, 5B and 5C of the General Development Plan, be less than twenty-five percent (25%) of the total land within the Property. These areas shall be for the use and enjoyment of the residents of the Property, subject to the restrictions that may be imposed by any declaration recorded as part of a conveyance of these areas to a homeowner's association.

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size for a commercial lot in Blocks 2 and 4 shall be 18,000 Ft² with a maximum frontage of 120' and a maximum side lot line of 150'.

Appendix A– Carriage House Units General Standards:

All Carriage House Units must be constructed in the same architectural style as the primary residence and must employ the same exterior color selections as the primary residence. Setback regulations for Carriage House Units shall be the same as those for garages.

Carriage House Units are separate, detached independent living units which are included with a single family detached unit and clearly subordinate to the primary residence. These units are typically located above a garage and are restricted to a maximum finished area of 800 ft². While these units may have a distinct street address and may be provided with separate utility meters if utilized as a rental unit, they may not be subdivided from the primary residence. Carriage house units must be located to the rear of the primary residence and must meet all architectural standards applicable to the primary residence. Setbacks shall be the same as those applicable to a traditional detached garage.

Carriage house units play an important role in providing for affordable housing. As an inexpensive rental unit, they help provide affordable rental housing that is integrated into the larger community. An additional benefit is that the units are “Cash flow positive” helping to make the primary residence more affordable by providing the owner with additional cash flow to pay the mortgage. These units have been widely utilized in other TND neighborhoods with tremendous success.

Some examples of typical carriage house units

