

**ORDINANCE NO. 16-A(3)
ZMA 2016-00003 OUT OF BOUNDS
PROFFER AMENDMENT**

**AN ORDINANCE TO AMEND THE PROFFERS APPROVED WITH ZMA 2015-00005
FOR TAX MAP AND PARCEL NUMBERS 06000-00-00-06500; 060L0-00-05-01900; 060L0-00-05-02000;
060L0-00-05-02100; 060L0-00-05-02200; 060L0-00-05-02300; 060L0-0-005-02400; 060L0-00-05-02500;
060L0-00-05-02600; 060L0-00-05-02700; 060L0-00-05-02800; 060L0-00-05-02900; 060L0-00-05-03000;
060L0-00-05-03100; 060L0-00-05-03200; 060L0-00-05-03300; 060L0-00-05-03400; 060L0-00-05-03500;
060L0-00-05-03600; 060L0-00-05-03700; 060L0-00-05-03800; AND 060L0-00-4A-00400**

WHEREAS, the application to amend the proffers that were approved with ZMA 2015-00005 for Tax Map and Parcel Numbers 06000-00-00-06500; 060L0-00-05-01900; 060L0-00-05-02000; 060L0-00-05-02100; 060L0-00-05-02200; 060L0-00-05-02300; 060L0-0-005-02400; 060L0-00-05-02500; 060L0-00-05-02600; 060L0-00-05-02700; 060L0-00-05-02800; 060L0-00-05-02900; 060L0-00-05-03000; 060L0-00-05-03100; 060L0-00-05-03200; 060L0-00-05-03300; 060L0-00-05-03400; 060L0-00-05-03500; 060L0-00-05-03600; 060L0-00-05-03700; 060L0-00-05-03800; and 060L0-00-4A-00400; (the "Property") is identified as ZMA 2016-00003, Out of Bounds ("ZMA 2016-00003"); and

WHEREAS, ZMA 2016-00003 proposes to amend Proffer #3 to reduce the amount of cash proffered to address the impacts from the rezoning from \$20,460.51 to \$4,918.00 for each single family detached unit and from \$13,913.18 to \$3,845.00 for each single family attached or townhouse unit; and

WHEREAS, staff recommended approval of ZMA 2016-00003 because the applicant's requested cash proffer amounts are consistent with the County's current Capital Improvements Program (CIP), with the Capital Needs Assessment (CNA), and with the cash proffer amounts recommended by the Fiscal Impact Advisory Committee (FIAC); and

WHEREAS, on April 26, 2016, after a duly noticed public hearing, the Planning Commission recommended denial of ZMA 2016-00003.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2016-00003 and its attachments, including the proffers dated February 22, 2016, the information presented at the public hearing, the material and relevant factors in Virginia Code § 15.2-2284, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2016-00003 with the proffers dated February 22, 2016.

* * *

I, Travis O. Morris, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Acting Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____