



**County of Albemarle
Department of Community Development**

Memorandum

To: Albemarle County Board of Supervisors
From: Michaela Accardi, Senior Neighborhood Planner
Division: Planning Division
Date: September 2, 2019
Subject: Rio29 Form-Based Code – Planning Commission Worksession #1 Summary

County staff have scheduled four worksessions with the Planning Commission to discuss and receive feedback on a series of form-based code topics for the Rio29 area. On August 20, 2019, staff presented background information, research and recommendations related to building standards and uses to the Planning Commission. Upcoming worksessions topics include: 2) streets, parking and public space; 3) architecture, housing and the arts, and 4) a comprehensive review of a draft form-based code “framework”.

Uses

Staff provided an overview of background information, research and community input for Rio29 uses (Attachment A3 and A4). Following this presentation, staff brought two questions for discussion and input from the Planning Commission where public input was inconsistent. These questions and the corollary Planning Commission responses are outlined below:

Is light industrial an appropriate use in the Rio29 area? If so, should there be supplemental regulations for light industrial uses to mitigate impacts?

Staff recommended that the definition of light industrial uses be further refined to allow for uses that have small manufacturing or fabrication component(s), while ensuring that there are limited impacts on adjacent residential, office and/or commercial uses. This would make a refined definition of light industrial an appropriate use in the Core and Flex areas of Rio29.

The Planning Commission supported staff’s recommendation (above). Commissioner Dotson, affirmed by Firehock, noted that this work is consistent with past County work on the industrial zones. Commissioner Spain noted that given the shortage of light industrial areas in the County, this use should be included wherever redevelopment occurs. She recommended creating a community term that does not include the word industrial to communicate its compatibility with residential, commercial and office uses. Commissioner Riley asked about the performance measures that staff would use. Staff mentioned nuisances such as noise and smell. Several Commissioners cited the case study staff shared from the City of Nashville. Nashville has an Artisan Manufacturing zoning district which allows arts-related uses with small manufacturing and/or production components in most mixed-use, commercial and industrial zoned areas, this district clarifies existing definitions and has new allowances for multi-family live/work housing and parking.

Should vertical mixed use with “active” uses on the ground floor be required in any areas of Rio29? If so, what uses or qualities would qualify as an “active use”?

Staff recommended using a broad definition of “active, ground floor uses” that includes any use that

incorporates public coming and going from an interior space. To be conscious of existing market constraints, staff recommended requiring ground-level floors in the Urban Core and along key streets in the Core areas to be designed with ground floor ceiling heights and transparency to allow for future conversion if the uses can not be immediately provided.

Members of the Planning Commission agreed with staff's recommendation as a good interim solution. Commissioner Spain suggested allowing a small number of ground-floor residential uses. Commissioner Dotson recommended allowing residential on the ground floor, at least initially, and to emphasize the physical built form on key streets. Commissioner Keller noted that "we are building structures for the future" and vacancy provides an opportunity for an interim use. Commissioner Firehock cited West Main Street as an example of how requiring "active, ground floor uses" was a barrier that stifled development in the City of Charlottesville. She recommended providing the ability for buildings to transition over time and provide for live/work units.

Building Standards

Staff provided an overview of background information, research and community input for Rio29 uses (Attachment A5 and A6). Following this presentation, staff brought two questions for discussion and input from the Planning Commission where public input was inconsistent. These questions and the corollary Planning Commission responses are outlined below:

Should views of the mountains be preserved in the Rio29 area? If so, which views from which vantage points should be preserved?

Members of the Planning Commission requested discussing this question related to views before other questions related to building standards to inform their subsequent conversation about height and block size.

Staff brought this question to the Planning Commission based on feedback from the July 9th joint work session that views are an important element of the Rio29 area to consider in this form-based code.

Staff recommended prioritizing the protection of existing prominent views from the Entrance Corridors and future public amenity spaces. Further viewshed analysis is needed to identify where these views currently exist and to what extent these vistas can and should be protected. Staff recommends a viewshed analysis and corresponding code updates be completed in a future phase of the project, as the current work schedule does not allocate time and resources to this analysis.

Members of the Planning Commission recommended that staff conduct a viewshed analysis during this phase of work to inform the code's height standards. The Planning Commission identified several different scales of pedestrian experience for staff consideration: the foreground, middle ground and vistas. Commissioner Dotson suggested that vistas could be prioritized along Boulevards and/or significant public spaces, using stepbacks as a tool to preserve vistas. A form-based code can primarily address the foreground and middle ground of the human experience through sidewalks, landscaping, and other street level elements.

Commissioner Spain highlighted the importance of preserving what is unique and special to Charlottesville – the vistas and to avoid privatizing views. Commissioner Bivins identified the pedestrian experience on-the-ground as the most important, questioning how realistic preservation is for present conditions.

Should larger blocks be permitted in areas of Rio29 if "pedestrian passages" are provided at specified intervals?

Staff recommended requiring a specific range of block sizes within each Rio29 character area, but to allow longer block sizes if "pedestrian passages" are provided at a specified interval (Attachment A5).

Members of the Planning Commission supported staff's recommendation with several additional

comments including:

- the Downtown Mall is an example of how larger block sizes can be pedestrian friendly if frequent intervals in street or pedestrian crossings are provided;
- pedestrian passages need to be fairly wide and remain public (not used for private businesses);
- and that a range in setbacks can provide variation on the street.

Commissioner Bivins noted that its important to have an opportunity for larger blocks sizes to support industry that wants to be collocated on the same floor.

Commissioner Riley reiterated that this administrative process will require specific training and design expertise, so staffing needs should be correlated with increasing flexibility.

Is six stories an appropriate height in the Core and Urban Core areas of Rio29? If so, should six stories be allowed by-right, by special exception, or only as a bonus factor for developments providing certain features such as affordable housing or green building design?

Staff recommended allowing 5 stories in the Urban Core and Core areas, with up to 6 stories for bonus factors.

Members of the Planning Commission were split on their initial response to this question. Commissioner Spain supported staff's recommendation, which was affirmed by Commissioners Riley and Keller.

Commissioner Bivins and Dotson suggested allowing 4 stories by-right, 5 stories for bonus factors, and 6 stories by special exception. This recommendation was supported by the other members of the Planning Commission.

A brief discussion was held on how this decision may affect other elements of the form-based code such as affordable housing and bonus factors. This will be discussed at a future work session in greater detail.

The second Planning Commission work session will be held on September 17, 2019 focused on streets, parking and public space.