

Code of Development

The following is a Code of Development (“COD”) drafted in accordance with Section 20A.5 of Chapter 18 of the Code of Albemarle, Virginia. This COD is specific to tax map parcels 45-157, 45-158, 45-166, 45-167 and establishes the unifying design guidelines, specific regulations, and block characteristics within this Neighborhood Model District (NMD) known as 600 Rio Rd. The COD also provides certainty about the permitted uses, locations, and appearance of central features.

The proposed development consists of “Block 1” - the site shown below in Figure 1. It will include new residential units as well as five existing townhomes for a total of up to 153 total residential units. Parking, sidewalks, and amenity spaces will be provided onsite.

For purposes of building and street standards, this COD designates Rio Road W as the “primary street,” and Greenfield Terrace and Station Lane as “side streets.”



Figure 1: “Block 1” Concept Plan

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| TABLE A. Uses | |
|--|----------------|
| | BLOCK 1 |
| RESIDENTIAL | |
| Attached single-family dwellings such as two-family dwellings, triplexes, quadruplexes, townhouses, and townhouses with accessory apartments | BR |
| Multifamily | BR |
| Group Homes | BR |
| Boarding Houses | BR |
| Home Occupation Class A | BR |
| Single Family Detached | N |
| Family Day Home | BR |
| NON-RESIDENTIAL | |
| Office | BR |
| Light Industrial | N |
| Retail Sales and Service | BR |
| Barber, beauty shops | BR |
| Health Spas | BR |
| Child day centers (reference 5.1.06) | BR |
| Tailor, seamstress | BR |
| Restaurants | BR |
| Financial Institutions | BR |
| Religious Assembly Use | BR |

“BR” = “By-right”
 “SP” = “Special Use Permit”
 “N” = “Not Permitted”

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| | BLOCK 1 |
|---|----------------|
| Hotel | N |
| Farmers’ markets (reference §18-5.1.47) | BR |
| Car Washes | N |
| Automobile, Truck Repair Shops | N |
| Machinery and equipment sales, service, and rental | N |
| Manufactured home and trailer sales and service | N |
| Motor vehicle sales, service and rental | N |
| Wholesale Distribution | N |
| Sale of major recreational equipment and vehicles | N |
| Storage Yards | N |
| Drive-through windows | N |
| Water, sewer, energy and communications distribution facilities | BR |
| Accessory uses and buildings including storage buildings | BR |
| Temporary construction headquarters and temporary construction storage yards (reference §18-5.1.18) | BR |
| Temporary industrialized buildings (reference §18-5.8) | N |
| Public Uses (reference §18-5.1.12) | BR |
| Tier I and Tier II Personal wireless (reference §18-5.1.40) | BR |
| Stand alone parking | N |
| Notes to Table A: 1. Accessory uses and buildings including storage buildings must be connected to an allowed onsite usage. No offsite residents or businesses shall be allowed accessory uses. 2. Any use not expressly permitted by Table A may be permitted upon a determination by the zoning administrator pursuant to Sec. 18-8.5.5.2(c)1 of the Albemarle County Zoning Ordinance. | |

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| TABLE B. SQUARE FOOTAGE | |
|---|----------------|
| | BLOCK 1 |
| MIN Non-Residential Square Footage | 0 |
| MAX Non-Residential Square Footage | 20,000 |
| Notes to Table B: 1. Pursuant to Sec 20A.8.b, each district is required to have at least two different general use classifications. Since non-residential square footage is proposed as allowed but not required, a waiver is requested for this requirement. All residential units on the property will be within 1/4 mile of existing commercial development. | |

| TABLE C. RESIDENTIAL DENSITY | |
|-------------------------------------|----------------|
| | BLOCK 1 |
| Approximate Block Area (AC) | 3.2 |
| MIN Residential Units | 28 |
| MAX Residential Units | 153 |
| MAX Block Density (DUA) | 48 |

| TABLE D. GREENSPACE & AMENITIES | |
|--|---|
| BLOCK 1 | |
| Approximate Block Area (AC) | 3.2 |
| Amenity Area MIN SF | 22,303 |
| Amenity Area MIN % | 16.0% |
| Amenity Characteristics | Passive & active recreational opportunities; dog park, outdoor kitchen, walking paths, courtyard |
| Green Space MIN SF | 27,878 |
| Green Space MIN % | 20.0% |
| Green Space Characteristics | Grass/other vegetation, landscaped areas, required yards, community garden, sitting garden, landscape buffers |

Notes to Table D:
 1. Amenities listed in Table D provide an overview of potential amenity improvements; this list is not exhaustive and final amenities will be determined at site plan.
 2. Per Section 3.1 of the Albemarle County Zoning Ordinance, uses in green space may include, but are not limited to, stormwater areas, wooded slopes, graded & revegetated slopes of 25% to 50%, required yards on both residential & non-residential lots, landscaped areas, landscaped islands in parking lots, and other land covered in vegetation. Where areas for amenities are vegetated, amenities, such as in parks and playgrounds, shall be included in required greenspace calculations.

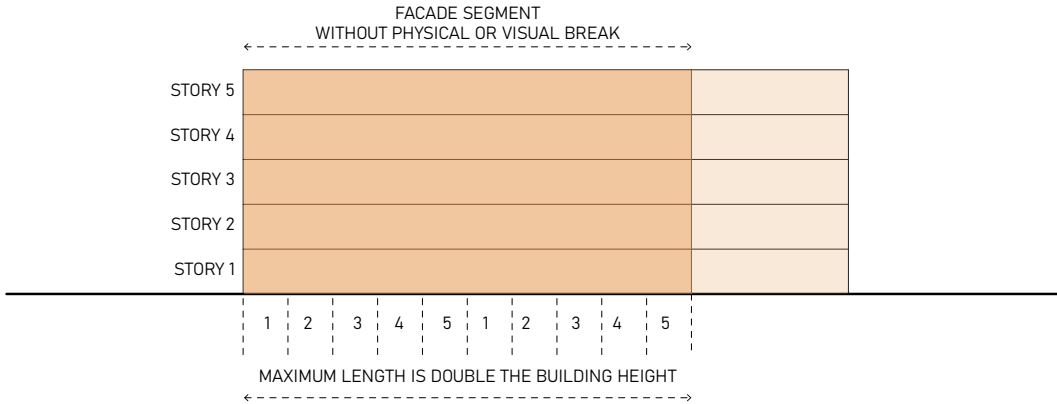
| TABLE D1. RECREATIONAL EQUIPMENT & FACILITIES ALTERNATIVES | |
|---|---|
| Section 4.16.2 Minimum Facilities | Alternative Facilities |
| Minimum 2,000 sq. ft. tot lot | <ul style="list-style-type: none"> • Outdoor Kitchen • Dog Park • Outdoor Terrace |
| 1/2 basketball court | <ul style="list-style-type: none"> • Active Recreation Areas • Fitness Center • Public Green |

Notes to Table D1:
 1. The alternative equipment & facilities provided are non-exhaustive and are meant to provide a general framework for potential equipment & facilities substitutions that may be pursued at site plan.

Architectural Standards (Sections 20A.5g)

ZMA2025-00001

| | | |
|--|--|--|
| Form, Massing, and Proportion of Structures | Maximum Facade Segment Length | No building facade adjacent to a primary or side street, or amenity area may extend for more than twice the height of the building, measured horizontally, without a physical break or visual break in the plane of the facade |
| | Permitted Options for Articulating a Facade | Physical breaks in the plane of the facade (such as wall recesses and vertical and horizontal projections) |
| | | Visual breaks in the plane of the facade, including material changes, texture changes, and detailing |
| | | Roofline breaks, balconies, arcades, awnings, and canopies |
| Facade Treatments | Visibly discernible stories shall be achieved through the use of windows and/or building entries on each story, using varied building materials, special ground-floor design treatments, and other facade elements or other architectural details | |
| Building Facades in Block 1 | Building facades facing Rio Rd shall be designed as front building facades with a street facing entry features unless a landscape screening buffer is provided in accordance with §18-32.7.9.7. A street-facing entry must provide ingress and egress pedestrian access to the ground story. | |
| Prohibited Building Facade Materials | Aluminum siding, vinyl siding, unfinished/untreated wood siding, prefabricated panel brick and tilt-up brick textured paneling, plywood siding, scored stucco that imitates brick or stone. | |
| Notes to Architectural Standards: 1. 'Building facade' pertains to a series of attached structures or one singular structure. | | |



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| TABLE E. LOT & BUILDING REGULATION | |
|--|---|
| BLOCK 1 | |
| Building Height | |
| Stories | 1 Min - 5 Max |
| Height | 60' |
| Building Stepbacks (Rio Rd.) | 15' stepback above four stories or 50' |
| Building Footprint (MAX) | |
| Residential | |
| Attached single-family dwellings such as two-family dwellings, triplexes, quadruplexes, townhouses, and townhouses with accessory apartments | 2,000 SF |
| Multifamily/multiplexes | 16,000 SF |
| Non-Residential + Mixed Use | 16,000 SF |
| Commercial/retail | 16,000 SF |
| Office/institutional | 16,000 SF |
| Setbacks | |
| Front (Primary Street) | 0' Min/15' Max |
| Front (Side Street) | 0' Min/25' Max |
| Side | 5' Min |
| Rear | 10' Min |
| Minimum Lot Frontage | 16' minimum frontage on either a public or private street |
| Minimum Lot Area | 1,000 SF minimum area |
| Transparency | |
| Ground Story Minimum | 35% |
| Upper Story Minimum | 20% |

Notes to Table E:
Continued on the next page

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1. For purposes of this COD Rio Road W is designated as the “primary street,” and Greenfield Terrace and Station Lane are designated as “secondary streets.”

2. Side setbacks apply unless the building shares a common wall.

3. Front setbacks shall be measured from the edge of the right-of-way or the exterior edge of the sidewalk, if the sidewalk is outside of the right-of-way.

4. Building separation shall comply with all applicable USBC regulations & Section 4.11 of the Zoning Ordinance.

5. Minimum and maximum building story ranges provided are for above grade stories.

6. Accessory structures (such as porches, decks, and window wells) shall be permitted to project up to 4’ within the required setback.

7. Setback distance may be increased by the width of an easement when there is an existing easement within the setback zone.

8. Transparency is to be measured between two feet and eight feet above finished floor.

a. Ground Story Transparency is applicable to the lowest story of habitable space of a building that has its finished floor elevation at or within five feet above or below the average grade along the primary or secondary street.

b. Where podium parking occupies the ground story along a street or amenity space, ground story transparency shall be measured from the finished floor of the lowest habitable story above the parking level.

c. Where podium parking occupies the ground story along a street or amenity space, the podium parking shall include one or more of the following facade treatments:

i. architectural screening with materials consistent with upper stories

ii. decorative metal grilles, art, or green walls

d. Transparency is not applicable to existing structures as of the date of the adoption of this zoning request, however the transparency of existing structures cannot be reduced beyond current transparency levels.

Figure 4



Parking Areas (Section 20A.5i(8))

Parking shall be generally located as shown in Figure 4. Parking will be relegated from Rio Road. There will be parking visible from Greenfield Terrace, and the visibility of those parking areas will be mitigated with screening.

Bike Parking

Bike parking shall be generally located within or adjacent to the proposed building envelopes. A minimum of one long term bike space shall be provided per four units, and a minimum of one short term bike space shall be provided per six units. Long term bicycle parking must be covered, and short term bicycle parking must be visible from roadways.

Landscape Treatments (Section 20A.5h)

Landscaping and screening shall be provided in accordance with Section 32.7.9 of the Albemarle County Code. Plantings may be provided in the Virginia Department of Transportation right-of-way only as permitted by VDOT. Both evergreen and deciduous trees and shrubs of varying sizes will create a natural buffer along the Rio Road frontage and will be subject to Architectural Review Board approval.

Dumpsters and Dumpster Pads on the Property shall be screened pursuant to Section 4.12.19 of the Zoning Ordinance.

| TABLE F. Parking Required | |
|---|--|
| | PARKING REQUIRED |
| RESIDENTIAL USES | One and one tenth (1.1) spaces per unit |
| NON-RESIDENTIAL USES | PARKING REQUIRED |
| Office | One space per 400 square feet of net office floor area |
| Retail Sales and Service | One space per 200 square feet of net retail floor area |
| Barber, beauty shops | One space per 400 square feet of gross floor area |
| Health Spas | One space per 400 square feet of gross floor area |
| Child day centers (reference 5.1.06) | One space per ten children enrolled in the major class or shift plus one space per employee. |
| Tailor, seamstress | One space per 400 square feet of gross floor area |
| Restaurants | 12 spaces per 2,000 square feet of gross floor area |
| Financial Institutions | One space per 300 square feet of gross floor area. |
| Religious Assembly Use | One space per eight fixed seats or per 150 square feet of area of assembly |
| Notes to Table F: 1. The term “net office floor area” shall be deemed to be: (1) 80 percent of the gross floor area; or (2) at the request of the applicant, the actual net office floor area as shown on floor plans submitted by the applicant, delineating the actual net office floor area, which plans shall be binding as to the maximum net floor area used. | |

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Sidewalks & Pedestrian Paths (Section 20A.5i(5))

Sidewalks and pedestrian paths shall be generally located per Figure 5. Exact location of sidewalks and pedestrian paths will be determined at site plan.

Sidewalks within the NMD must be constructed, at minimum, to VDOT standards. Sidewalks will be located generally as shown in Figure 5 of this Code of Development and as provided for in the Application Plan however, final sidewalk locations will be determined at site plan. Modifications to general sidewalk locations may be pursued at site plan so long as pedestrian connections providing comparable connectivity to the connections shown in Figure 5 are provided. The “comparable connectivity” of any modifications to the general location of sidewalk connections shown in Figure 5 shall be determined by the Director of Planning or its designee. In addition to the general locations shown in Figure 5 sidewalks will be constructed to provide safe and convenient pedestrian connections between parking areas and building entrances.

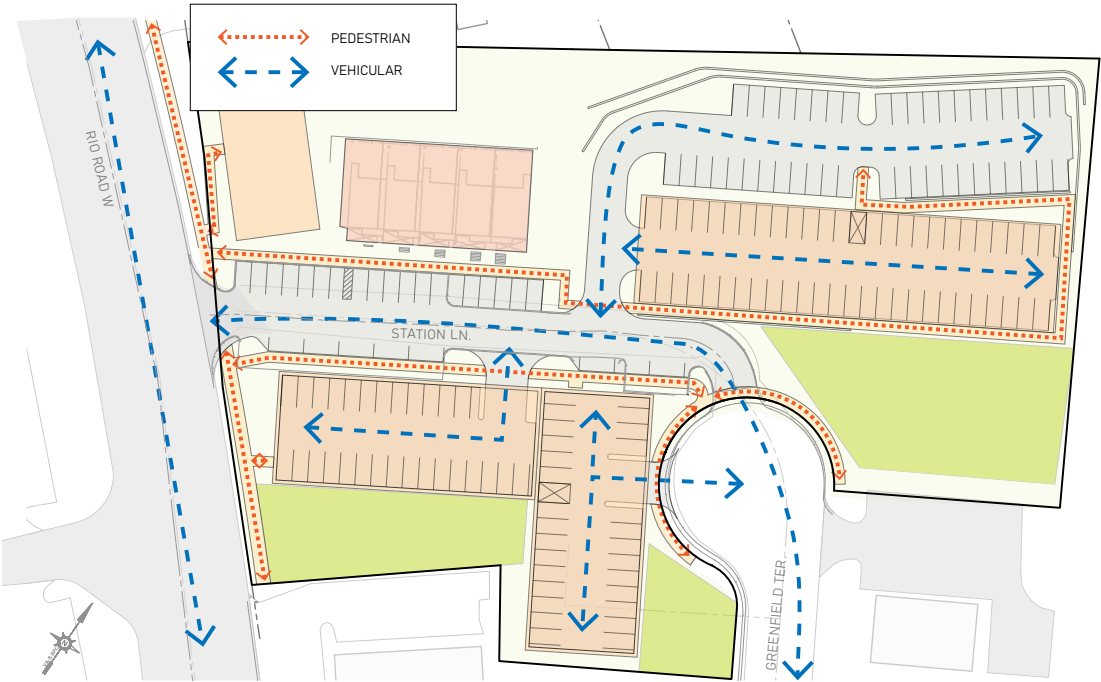


Figure 5

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Utilities and Stormwater Management

Conceptual utilities and stormwater management will be located generally as shown in Figure 6 of this Code of Development and as provided for in the Application Plan. Final locations will be determined at site plan.

Stormwater will be managed through a series of roof drains and underground detention systems. The locations of the storm infrastructure will be designed to avoid potential conflicts with the buildings during future excavation and maintenance. Due to the urban nature of the site, building foundations may need to be extended deeper to avoid conflicts with structures.

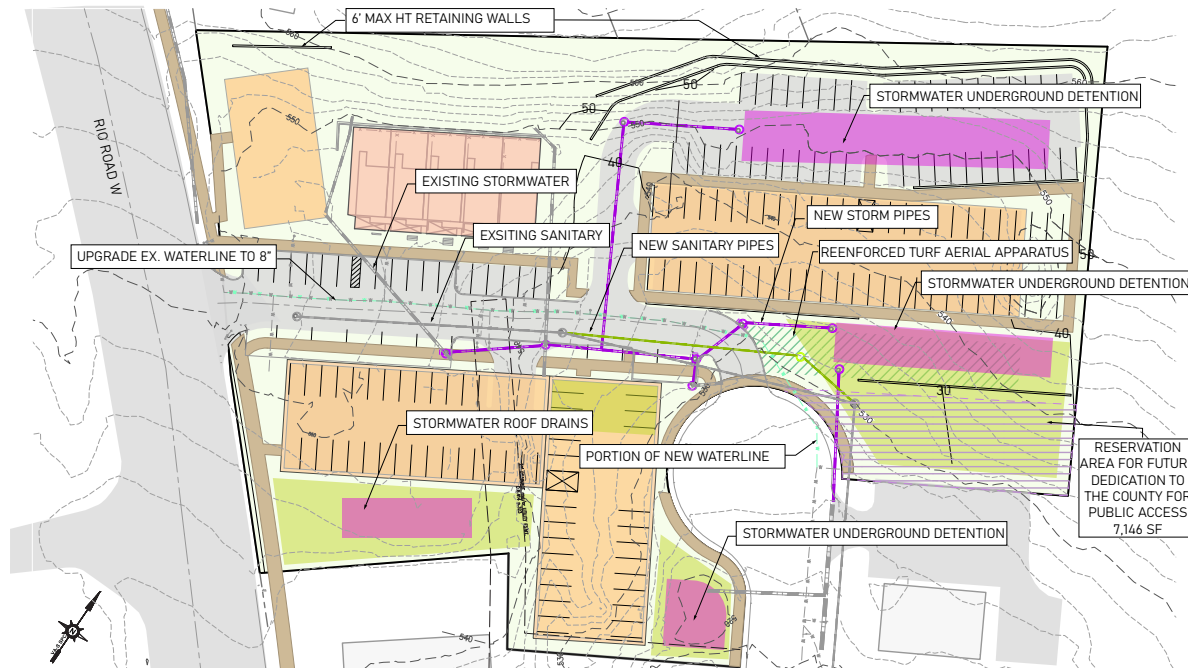


Figure 6

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AFFORDABLE HOUSING

The Owner shall establish and maintain, for a period of thirty (30) years (the “Affordable Term”), affordable rental dwelling units equal to twenty percent (20%) of the total residential units constructed on the Property (the “Affordable Units”).

The Affordable Units shall be affordable to households earning up to sixty percent (60%) of the Area Median Income (“AMI”), based on the AMI as published and annually updated by the U.S. Department of Housing and Urban Development.

The maximum rent to be charged for a for-rent Affordable Unit, exclusive of tenant paid utilities, will be no greater than the maximum rent amounts established annually by the Albemarle County Office of Housing. Maximum rents for Affordable Dwelling Units are calculated by multiplying factors per unit size provided in Housing Albemarle, or subsequently adopted housing policy documents for Albemarle County.