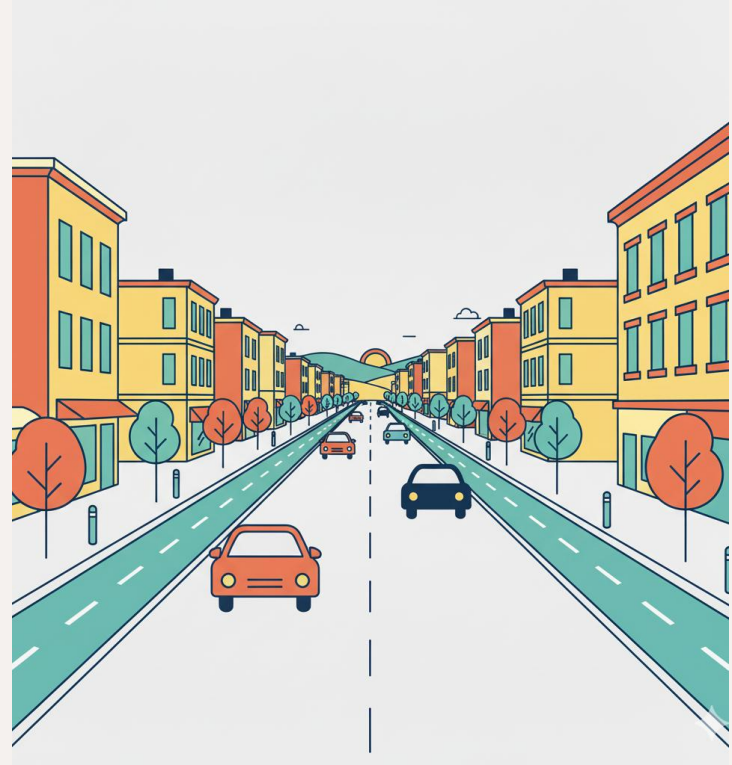


Phasing Updates for Improved Delivery

Albemarle County Board of Supervisors  
December 10, 2025

Lea Brumfield, Senior Planner II

# Albemarle County Zoning Modernization



# Presentation Summary:



Project Goals



Work to date



AC44 Big Moves and Planning Best Practices



Phased Approach



Next Steps

# Zoning Modernization Goals



Rewrite ordinance language  
for clarity and ease of  
use



Align ordinance with AC44  
Comprehensive Plan



Streamline administrative  
processes



Update regulations for  
modern best practices

# Phase I – Foundation Complete ✓



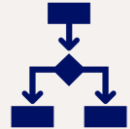
Staff and stakeholder engagement

Zoning Ordinance Evaluation

Language, tone, and structure determined

Streamlined administrative processes

Board review and draft publication



# Phase I Articles Recap

Drafted and Reviewed

Article 1

Article 2

Article 3

Article 10

## Article 10: Nonconformities: Uses, Structures, Parcels, and Signs

### Division 10.1 General

#### Section 10.1.1 Intent

Because nonconforming uses, structures, parcels, and signs are incompatible with the zoning districts in which they are located, they are authorized to continue only until they are discontinued or removed, or until action is taken to conform them to the applicable zoning regulations. These nonconformities may continue as established prior to the adoption of this Chapter only in accordance with Virginia Code § 15.2-2307 and this Article.

#### Section 10.1.2 General

- A. **Change in occupancy.** A change in occupancy or ownership does not affect the status of a nonconforming use, structure, parcel, or sign.
- B. **Determination of nonconformity.** A nonconforming use must be determined by the Agent.

### Division 10.2 -Nonconformities

#### Section 10.2.1 Nonconforming Uses

- A. **Continuance of nonconforming use.** A nonconforming use may continue as it lawfully existed when it became nonconforming, and may be enlarged or expanded only in accordance with this Article.
- B. **Establishment of a nonconforming use.** The casual, intermittent, temporary, or illegal use of land or structures is not sufficient to establish a nonconforming use.
- C. **Area**

---

# General Outline

A. Intent/Purpose

---

B. Applicability

---

C. General provisions

---

D. Specific provisions

---

E. Modifications and waivers

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## Draft Article 3 Applications and Permits

### Division 3.7 Site Plans

- ▶ Section 3.7.1 Applicability
- ▶ Section 3.7.2 Agent
- ▶ Section 3.7.3 Types of Site Plans
- ▶ Section 3.7.4 Standards and Procedures
- ▶ Section 3.7.5 Specifications and Bonding
- ▶ Section 3.7.6 Compliance with Approved Site Plan Required
- ▶ Section 3.7.7 Period of Validity

### Division 3.8 Certificates of Appropriateness

- ▶ Section 3.8.1 Applicability
- ▶ Section 3.8.2 Agent
- ▶ Section 3.8.3 Types of Certificates of Appropriateness
- ▶ Section 3.8.4 Standards and Procedures

## Draft Rio29 Form-Based Code

### Sec. 20C.10 Architecture.

- ▶ A. Purpose.
- ▶ B. Applicability.
- ▶ C. General provisions.
- ▶ D. Modification and waivers. **Screening.** The Agent may modify or waive the screening requirement for transformers and telephone or fiber optic risers from view of De Streets, Boulevards, Through Corridors, and civic spaces if the Agent finds:
- ▶ E. Special exceptions. The following may be modified or waived by the Board of S in accordance with section 20C.2.E and the following criteria:

### Sec. 20C.11 Landscaping and Lighting.

- ▶ A. Purpose.
- ▶ B. Applicability.
- ▶ C. Landscaping.
- ▶ D. Lighting.

## Phase II – Format Modernization



# Zoning Modernization Goals by Phase



Rewrite ordinance language  
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# Draft Uses Table – RA and Special Districts

	RA (Rural Areas)	MHD (Monticello Historic District)	RIO29 FBC Overlay District
Accessory apartments	AC	AC	N
Lorem ipsum dolor sit amet	AC	AC	AC
Agricultural operations	BR	BR	N
Agricultural processing plants	SP	SP	N
Morbi vitae lacinia mauris	BR	BR	N
Suspendisse ut porta	SP	BR	N
Agriculture/forestry/fishery	BR	BR	N
Duis tristique	SP	N	SP
Borrow area, borrow pit up to 50,000 cubic yards	BR	BR	BR
Campground	SP	N	N



# Reorganization/Structure

## SECTION 5 - SUPPLEMENTARY REGULATIONS

### Sec. 5.1 - Supplementary regulations.

Sec. 5.1.01 - Airports; heliports; helistops.

Sec. 5.1.02 - Clubs, lodges.

Sec. 5.1.03 - Commercial stable.

Sec. 5.1.04 - Community center.

Sec. 5.1.05 - Day camp, boarding camp.

Sec. 5.1.06 - Child day centers.

Sec. 5.1.07 - Group homes.

Sec. 5.1.08 - Drive-in theatre.

Sec. 5.1.09 - Fire, ambulance, rescue squad station (volunteer).

Sec. 5.1.10 - Junk yards.

## CURRENT LANGUAGE

Sec. 5.1.04 - Community center.

Any such use seeking public funding shall be reviewed by the commission in accordance with section 31.2.5. Specifically, the commission shall find that the proposed service area is not already adequately served by another such facility. In addition, the commission shall be mindful that such use is appropriate to villages, communities and the urban area of the comprehensive plan.

## DRAFT LANGUAGE

### Section 7.4.2 Community Center

- A. **Public funding review.** Any community center seeking public funding must be reviewed by the Planning Commission in accordance with Section 31.2.5.
- B. **Review criteria.** The Planning Commission must find that:
  - 1. The proposed service area is not already adequately served by another facility; and
  - 2. The use is appropriate to villages, communities, and the urban area of the Comprehensive Plan.



# Potential Minor Regulation Updates

- Codification of regular practice
- Industry standard regulations

Allow taller building heights without setbacks

Allow small-scale commercial uses along major off-road connections and greenways



Codify standard conditions of approval for veterinarians, kennels



## Phase III – Regulatory Modernization

# Zoning Modernization Goals by Phase



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## Example AC44 Priorities Requiring Zoning Updates



### Housing

Increase density  
in compact,  
service-  
supported areas

Enable missing  
middle housing  
types



### Economic Development

Zone for  
flexible,  
diverse economic  
opportunities

Encourage mixed-  
use economic  
centers



### Environmental Protection

Incentivize or  
require  
resilience and  
energy  
efficiency

Protect natural  
systems



### Rural Management

Permit Rural-Area  
conducive  
businesses

Maintain Rural  
Area character and  
environmentally  
sensitive areas



### Connections

Support multi-  
modal  
transportation  
in developments

Increase public  
space investment



## AC44 Action Prioritization

OBJECTIVE	HSG 2. <i>Permit a range of housing types that are affordable for all income levels, especially in locations that are within or walkable to Activity Centers and locations with job opportunities, public transit, and community amenities.</i>
ACTION	
2.1	Update the Zoning Ordinance to expand the allowance for modular or manufactured homes by-right in some residential and mixed-use Zoning Districts.
2.2	Update the Zoning Ordinance to allow, by right, and encourage the construction of innovative housing types and creative infill development, prioritizing increased density in the Development Areas and building ‘up instead of out’ to preserve environmental features/open space. [H.A. 8c]
2.3	Modernize and streamline the development review process to improve the timeliness and efficiency of review. Implement a priority development review process and other incentives to increase the development of new affordable and workforce housing within appropriate locations, including in and adjacent to Activity Centers and Employment Centers.
2.4	Collaborate with community partners to explore opportunities for subsidized/lower rent opportunities for community-serving commercial uses in affordable housing developments, such as grocery stores and day care.
2.5	Collaborate with community partners, including faith-based organizations and institutes of higher education, on affordable housing developments, including on underused land such as large parking areas in the Development Areas.
2.6	Work with non-profit housing partners, public health organizations, and other community service providers to engage with community members and identify and address housing and related needs, such as transportation.







# Best Planning Practices Examples

Parking regulations

Simplify sign regulations

Build-to ranges

Codify standard conditions of approval

Right-size small-scale manufacturing

Update minimum size landscaping

# ZONING MODERNIZATION PROJECT

## timeline



# Project Milestones



A horizontal timeline with three vertical lines indicating milestones. The first line is at the left, the second is in the middle, and the third is at the right. Below each line is a text block describing a milestone.

## FORMAT MODERNIZATION

Public review and  
adoption

FALL 2026

## REGULATION MODERNIZATION

Focus groups and staff-  
level review

2026 - 2027

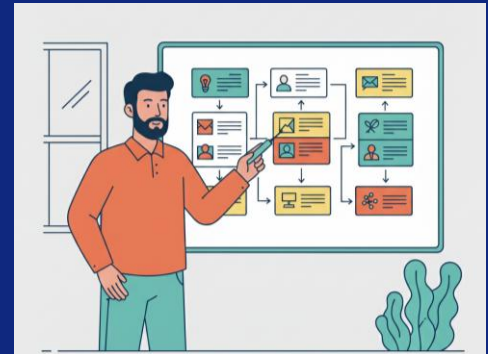
## FINAL ADOPTION

Public review and  
adoption

FALL 2027 - SPRING 2028

# Public Engagement Strategy Overview

- Public information sharing
  - Albemarle County News (ACN), social media, and albemarle.org
  - Engage Albemarle project page
  - Open house information sessions
  - Zoning Ordinance Lunch and Learn
- Targeted outreach
  - Topic-based discussions
  - Legislative work sessions



# Next Steps

- Continue permitted uses review
- Continue formatting rewrite
- Engagement and education ongoing
- Regulatory prioritization Work Session Spring 2026
- Topic-based discussions and legislative topic review through Phase III



# Questions?

<https://engage.albemarle.org/zmod>

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Increase density  
in compact,  
service-  
supported areas

Enable missing  
middle housing  
types



### Economic Development

Zone for  
flexible,  
diverse economic  
opportunities

Encourage mixed-  
use economic  
centers



### Environmental Protection

Incentivize or  
require  
resilience and  
energy  
efficiency

Protect natural  
systems



### Rural Management

Permit Rural-Area  
conducive  
businesses

Maintain Rural  
Area character and  
environmentally  
sensitive areas



### Connections

Support multi-  
modal  
transportation  
in developments

Increase public  
space investment





# ZONING MODERNIZATION PROJECT

## timeline

\*Targeted Engagement Opportunity  
\*\*Broad Engagement Opportunity

