



County of Albemarle
Community Development Department

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To: Albemarle County Board of Supervisors
From: Mariah Gleason, Senior Planner II
Date: February 15, 2023
Item: SE202200067 Woodbrook Station Special Exception – Relief from County Code § 18-20C.2(B)(3), which requires the Rio29 Form-Based Code (FBC) regulations to apply to an entire parcel as it existed on September 1, 2021
Parcel ID(s): 04500-00-00-094A2
Magisterial District: Rio
School Districts: Albemarle H.S.; Burley M.S.; Agnor-Hurt E.S.
Zoning District: The underlying zoning district is Neighborhood Model District (NMD). The applicant is electing to develop a portion of the parcel under the Rio29 Form-Based Code (FBC) District.

Summary of Request for Special Exception:

When an owner opts into the Rio29 Form-Based Code (FBC) Overlay District, *County Code* § 18-20C.2(B)(3) requires an entire parcel, as it existed on September 1, 2021, be developed pursuant to the Rio29 FBC. The applicant has submitted a site plan amendment (SDP202200065) to develop only a portion of Parcel ID 45-94A2 pursuant to the Rio29 FBC. The applicant proposes not to develop a 0.310-acre portion of the Parcel, and requests it not be subject to the requirements of the Rio29 FBC at this time. The applicant intends to combine the 0.310-acre portion with Parcel ID 45-94A1, located directly south of the subject property.

A special exception from the requirement of *County Code* § 18-20C.2(B)(3) is permitted under § 18-20C.2(D)(1)(e) based on the criteria contained in § 18-20C.2(D)(2), following the submittal of a conceptual plan, where the additional conditions of § 18-20C.2(D)(3) are met. Please see Attachment A for staff's analysis.

Staff Recommendation:

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the proposed special exception to allow the Rio29 Form-Based Code regulations to apply to the newly-adjusted Parcel 04500-00-00-094A2, and not its remaining 0.310 acres.

Attachments:

- A – Staff Analysis
- B – Location Map
- C – Application Narrative
- D – Applicant's Conceptual Plan
- E – Boundary Line Adjustment Plat for TMP 45-94A1 & 94A2 (SUB202200183), last revised January 11, 2023
- F – Resolution