

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 and specific to tax map parcel 06100-00-00-154B0. This Code of Development establishes the unifying design guidelines, specific regulations and block characteristics. The COD also provides certainty about the permitted uses, locations and appearance of central features.

I. Table of Uses by Block (Section 20A.5a)

The table below establishes the permitted and prohibited uses by block.

“BR” = By-Right, “SP” = Special Permit, “N” = Not Permitted

Table A. Uses: By Right, by Special Permit, and Not Permitted		
BLOCK	BLOCK 1	BLOCK 2
	Mixed-use	Residential
Residential		
Single Family Detached	N	BR
Single Family Attached	N	BR
Multifamily	BR	N
Accessory Uses	BR	BR
Non- Residential		
Retail (Neighborhood, Community & Regional)	BR	N
General Commercial Service	BR	N
Auto Commercial Sales & Service	N	N
Office/R&D/Flex	BR	N
Light Manufacturing / Storage / Distribution	N	N
Heavy Manufacturing / Storage / Distribution	N	N
Warehousing / Distribution	N	N
Institutional	BR	N
Stand-alone parking and parking structures	BR	BR
Electric, gas, oil and communication facilities, excluding tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility. Water distribution and sewerage collection lines, pumping stations and appurtenances owned and operated by the Albemarle County Service Authority. Except as otherwise expressly provided, central water supplies and central sewerage systems in conformance with Chapter 16 of the Code of Albemarle and all other applicable law.	BR	BR
Temporary construction uses	BR	BR
Public uses and buildings including temporary or mobile facilities such as schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies (reference 31.2.5); public water and sewer transmission, main or trunk lines, treatment facilities, pumping stations and the like, owned and/or operated by the Rivanna Water and Sewer Authority.	BR	BR

Stormwater management facilities shown on an approved final site plan or subdivision plat.	BR	BR
Tier I and Tier II personal wireless service facilities.	BR	BR
Accessory Uses and Buildings including home occupation, Class A and storage buildings.	BR	BR

Notes to Table A:

1. Notwithstanding the above, the following “Community & Regional Retail” or “General Commercial Service” uses shall be explicitly prohibited: entertainment or recreation establishments (or similar uses), gas stations, funeral homes and crematories, storage yards, auction houses, convenience stores, and hotels/motels.
2. Reference to uses not otherwise defined or listed in this Code of Development shall be defined as listed first, in the “Future Land Use Plan and Transportation Network” Section of the Places29 Master Plan adopted February 2, 2011, revised June 10, 2015, or second, in the Albemarle County Zoning Ordinance. If no definition of the use is provided (Code of Development, Comprehensive Plan, Zoning Ordinance) or if there is uncertainty as to whether such use is included in the uses listed in Table A, then such use must be officially determined by the zoning administrator to be permitted in a particular Block.
3. Stand alone parking and parking structures shall be subject to screening regulations and other restrictions outlined in Section 4.12.

II. Development Square Footage Proposed and Residential Density (Section 20A.5b and c)

Table B. Density, Housing Type and Non-Residential Use by Block							
Block	Approximate Block Size	MIN Dwelling Units	MAX Dwelling Units	MAX Block Gross Density	Permitted Housing Types	MIN Non-Residential SF	MAX Non-Residential SF
Block 1							
Mixed-use	37,900 SF (0.87 acre)	8	32	35 DUA	Multifamily	0	5,000 (+5,000 if additional SF designated specifically for office)
Block 2							
Residential	45,300 SF (1.04 acre)	8	14	14 DUA	Single Family Detached, Single Family Attached	0	0
TOTAL	83,200 SF (1.91 acre)	16	46	24 DUA	MF, SFD, SFA	500	5,000 (10,000 if at least 5,000 of total designated specifically for office)

III. Green Space & Amenities (Section 20A.5d)

Table C. Minimum Green Space, Civic Areas, and Amenities by Block							
BLOCK	Amenity Area MIN SF	Amenity Area %	Amenities	Green Space MIN SF	Green Space %	Green Space Elements	Amenity & Green Space %
Block 1							
Mixed-use	7,600	20% (7,600 of 37,900 total SF of Block 1)	Outdoor Plaza with Landscaping and Seating; Small Dog Park	7,600	20% (7,600 of 37,900 total SF of Block 1)	Outdoor Plaza with Landscaping and Seating; Multi-Use Path; Small Dog Park; Streetscape and Other Designed Landscaping	20%
Block 2							
Residential	9,100	20% (9,100 of 45,300 total SF of Block 2)	Sidewalk, Central Greenspace, Natural Playscape, and Other Designed Landscaping	9,100	20% (9,100 of 45,300 total SF of Block 2)	Sidewalk, Central Greenspace, Natural Playscape, Multi-Use Path, and Other Designed Landscaping	20%
TOTAL	16,700	20% (16,700 of 83,200 total SF)		16,700	20% (16,700 of 83,200 total SF)		20%

Notes to Table C:

1. Section 4.16 of the Zoning Ordinance shall apply to all recreational facilities and shall be assessed at the site plan stage of development.

IV. Architectural Standards and Landscape Treatment (Sections 20A.5g and h)

In addition to any architectural, landscape and site requirements illustrated or otherwise included in other sections of this application, the Entrance Corridor Design guidelines of Section 30.6 shall also apply, which may require features and/or treatments over and above those listed in this Code of Development.

V. Lot & Building Height Regulation (Section 20A.i)

Table D. Lot and Building Regulations		
	BLOCK 1	BLOCK 2
	Mixed-use	Residential
Building Height		
Stories	1 Min. - 3 Max.	1 Min. - 3 Max.
Height	40'	35'
Setbacks		
Front	0' min. –45' Max.	5'
Side	0' Min.–45' Max.	3'
Rear	0'	10'
Stepbacks	-	-
Other		
Allowable Gross Building SF	30,000	-
Maximum Building Footprint SF	5,000	-
Lot Size (Min. or Max.)	None.	None.
Residential Units Allowable	0 Min. - 32 Max.	8 Min. - 14 Max.
Residential Unit Type	Multifamily	Single Family Detached, Single Family Attached
Parking		
MIN Required (35% reduction)	8 - 81, depending on mixture of uses	10 - 18, depending on unit count etc.
Total Required	18 - 99, depending on mixture of uses	

Notes to Table D:

1. Porches, eaves and awnings shall be considered part of the structure and shall not extend closer to the street than the required setbacks.
2. The precise number of minimum required parking spaces shall be determined at the site plan phase of development depending on density, types of residential units, and commercial uses pursuant to Section 4.12.6. Minimum parking requirements may restrict some uses that historically require large amounts of parking.
3. Pursuant to Section 4.12.10, an aggregate reduction of 35% shall be applied to the total minimum required parking produced by Note 2 above.

4. Pursuant to Section 32.7.9.7, the parking areas along the southeastern boundary of the subject property are required to be screened. In addition to Section 32.7.9.7(b), the Applicant shall provide three different reasonable types of screening options to the Shephard's Ridge Homeowners' Association which consists of residents immediately adjacent to the Property. By a majority vote at a duly authorized meeting of the members of the homeowners' association, the association shall choose one of the three options provided. At minimum, at least one of the options provided shall include a fence up to seven-feet in height. Such meeting shall be called within thirty (30) days of receipt of written notice from the Applicant and/or its assigns. In addition, such approval shall not be unreasonably withheld, delayed or conditioned. If the Applicant does not receive a response within thirty (30) days of receipt of the Applicant's written notice to the applicable homeowners' association, such lack of response shall be considered an approval.
5. Dumpsters and Dumpster Pads on the Property shall be screened pursuant to Section 4.12.19.
6. The Applicant shall be required to provide onsite treatment of 25% of the required stormwater treatment. Such techniques of treatment shall include pervious pavers, micro bioretention, or other approved measures.