



ALBEMARLE COUNTY PLANNING

STAFF REPORT SUMMARY

Project Name: ZTA201900006 Rio29 Form-Based Code	Staff: Rachel Falkenstein, Principal Planner Michaela Accardi, Senior Planner
Planning Commission Work Session: September 17, 2019	Board of Supervisors Work Session: N/A
Owner: multiple	Applicant: N/A (County-initiated)
TMP: TMPs within the Rio29 SAP boundary Acreage: ~391 acres	Zoning Text Amendment/Zoning Map Amendment: County-initiated ZTA/ZMA for Rio29
Magisterial District: Rio	Future Land Use: Core, Edge and Flex in the Rio29 Small Area Plan
School Districts: Agnor-Hurt & Woodbrook – Elementary; Burley & Jouett – Middle; Albemarle – High	
DA (Development Area): Neighborhood 1 & 2 - Places29 Master Plan; Rio29 Small Area Plan	Topics for discussion: Possible zoning regulations related to streets, parking and green/public space
Proposal: Discussion and consideration of proposed amendments to zoning regulations in the Rio29 Small Area Plan to implement the Plan’s vision for transforming Rio29 into a connected, multimodal area with a vibrant, mixed use community enhanced through conservation and public amenities.	
<p>Discussion/Recommendation: Staff recommends that the Commission review and discuss the following questions and analysis, attached summaries and recommendations, and provide direction to staff on the questions below:</p> <p><u>Streets</u></p> <p>Q1 Which conceptual streets on the Rio29 Future Connectivity Plan should be subject to higher street improvement requirements, known as “destination streets”?</p> <p><u>Parking</u></p> <p>Q2 Should the parking policy for the Rio29 area use a market-driven approach, such as instituting parking maximums?</p> <p><u>Green/Public Space</u></p> <p>Q3 How should a form-based code for Rio29 balance the goals of a community “enhanced through conservation and public amenities” with increased flexibility for the development community?</p>	

STAFF CONTACT:

Rachel Falkenstein, Principal Planner
Michaela Accardi, Senior Planner

PLANNING COMMISSION:

September 17, 2019 (Work Session)

PROJECT BACKGROUND AND PURPOSE OF THE WORK SESSION:

The Board of Supervisors adopted the Rio29 Small Area Plan on December 12, 2018. The Plan establishes a vision and recommendations for transforming Rio29 into a connected, multimodal area with a “vibrant, mixed-use community” enhanced through conservation and public amenities. The Implementation Chapter recommends “amending the County’s Zoning Ordinance and Map to include a form-based code tailored to the area,” to allow for the community’s desired form of development through a “by-right” review process. Form-based codes primarily regulate the size and shape of development and how it interacts with and meets the street as envisioned in a long-range planning document for the area.

In March 2019, the Board directed staff to begin work on drafting a form-based code consistent with the Plan’s vision. The amended work plan, discussed at the Joint Board and Planning Commission work session on July 9th, anticipates that a draft form-based code “framework” and recommendations will be reviewed by the Board in December 2019, with possible adoption of an updated ordinance in 2020 (Attachment 1).

A diverse cross-section of County staff from CDD (Zoning, Planning and Engineering), Economic Development and Communications & Public Engagement (CAPE) are collaborating on “technical working groups” to conduct research and engage with the Rio29 Steering Committee and the public on key form-based code-related topics (Attachment 1).

During the July 9th joint work session, the Planning Commission and Board of Supervisors participated in a prioritization activity to determine where staff should focus their efforts throughout the scope of this project. The top two priorities selected by decision makers were “use” and “area/bulk regulations”. This first work session was focused on the two highest priority topics – use and building standards (Attachment 2).

Drafting a form-based code for the Rio29 area is a complex process that requires extensive stakeholder engagement and research. Staff anticipates a continued high investment in public engagement throughout the process. This work session is focused on the topics of: **Streets, Parking and Green/Public Space.**

Two additional work sessions are scheduled with the Planning Commission this year to focus on specific topic areas to assist in the drafting a comprehensive “framework”. Future work sessions with the Planning Commission will focus on: 1) housing, architecture, and the arts/placemaking and 2) review of a draft framework and implementation strategy. Planning Commission feedback and recommendations on these topics will be shared with the Board of Supervisors during a December work session.

Staff will share research findings, engagement summaries, and broad recommendations around these topics. We are looking for general feedback from the Planning Commission as well as direction on specific questions/decision points, where the Rio29 Steering Committee, public and stakeholder responses have been inconsistent or have helped identify complexities within these topics needing additional scrutiny (see following pages, “Staff Questions for the Commission”).

STAFF QUESTIONS FOR THE COMMISSION:

Streets

The Rio29 Small Area Plan (SAP) includes a conceptual Future Street Network with four street types: Boulevard, Avenue, Local Street and Through Corridor (Route 29). The Future Street Network is intended to convey conceptual street locations and connectivity rather than to show final street alignment. It is anticipated that final street locations will be determined at the time of site development. The SAP also includes street sections for each of these street types, which identify appropriate dimensions for street features such as travel lanes, medians, bike lanes, sidewalks, and landscaping strips (Attachment 4).

Rather than focusing on the street features that were already defined through the SAP street sections, staff worked with the Steering Committee and the public to identify appropriate street amenities for each street type to build upon prior work. For the purpose of this work session, staff has focused their research and recommendations on Boulevards, Avenues and Local Streets, given that these street types are the primary areas that County staff have the capacity to influence through form-based code.

Overall Staff Recommendation – Streets

Staff recommends using the Rio29 Small Area Plan's Future Street Network Map to establish the basis for future street locations and interconnectivity. Final street locations will be determined through the site planning process in collaboration with the property owner/developer and will be further informed by block size regulations (as discussed during the building standards work session). Staff recommends the street sections from the Rio29 SAP be used to establish regulations for dimensions of required street features.

The street sections for each street type (Boulevard, Avenue and Local Streets) shall be used in conjunction with the following street improvements table (Attachment 4) to develop design standards for each street type. These "standard", "optional" and "not permitted" street improvements were developed in collaboration with the Rio29 Steering Committee and through online and in-person community engagement (Attachment 3).

Q1 Which conceptual streets on the Rio29 Future Connectivity Plan should be subject to higher street improvement requirements, known as "destination streets"?

Stakeholders throughout the public engagement process highlighted that certain streets should be designated to have a higher number and frequency of street improvements, mix of uses, and public spaces. Stakeholders used terms like "placemaking streets" and "main streets" to describe these areas.

*Staff Recommendation: Consistent with the Rio29 Small Area Plan's character areas (Core, Flex, Edge), staff recommends **all "Local Streets" inside the Core area** be subject to higher street improvement requirements, classifying them as "Destination Streets". The property owner/developer shall have the option to develop their equivalent length in other areas of the quadrant, provided that destination streets should be continuous, not interrupted, and have logical extensions from the Core to other character areas.*

Parking

39 percent of the land in the Rio29 area is currently used for surface parking lots. Many of these parking lots remain predominantly empty for most of the time and are a significant barrier to promoting walkability in the area.

The Rio29 Small Area Plan envisions the area as a multi-modal transportation hub and recommends "providing street parking on existing and proposed roadways, where appropriate as a mechanism to increase parking supply, while reducing the need for extensive surface parking lots."

Localities across the nation have reduced or removed their parking requirements for various reasons, including: to meet the needs of smaller businesses, to give business owners more flexibility while creating a vibrant downtown, to promote affordable housing, and to prevent auto-oriented environments. Staff has included two exemplary models of parking reform standards – Portland, Oregon and Buffalo, NY - for the Planning Commission's reference (Attachment 5).

In addition, staff has included the research and work of Donald Shoup, Distinguished Professor of Urban Planning at UCLA, who has extensively studied the link between transportation and land use, with important consequences for cities, equity, the economy and the environment (Attachment 6).

Overall Staff Recommendation – Parking

Consistent with the Rio29 Small Area Plan, staff recommends permitting structured, on-street, and relegated surface parking according to a development's character area. Traditional parking should be coupled with enhanced conveniences for other modes of travel, such as bicycle parking and curb space for taxi/rideshare options (Attachment 5).

Staff recommends using a market-based approach to support an urban environment consistent with the Rio29 Small Area Plan's vision and corollary recommendations. A market-based approach would allow developers to determine the appropriate number of parking spaces for their development based on current market trends. This approach would enable flexibility as transit service and bike/pedestrian infrastructure improve, with less demand and need for parking/automobile infrastructure over time.

Staff also recommends a more comprehensive approach toward parking in Rio29 where: on-site parking is not required to be provided for each use; shared parking is encouraged; and a "park-once" approach is allowed and encouraged. This "park-once" approach would enable users to park and reach their destination(s) within a five-minute walk.

Q2 How should staff update the parking standards for the Rio29 area?

Staff Recommendation: *Staff recommends removing minimum parking requirements, creating parking maximum requirements (determined by use or building footprint) and requiring bicycle parking across all character areas. Property owners/developers may exceed the maximum number of permitted parking spaces by Special Exception.*

Staff recommends encouraging covered bicycle facilities, curb space for taxi/rideshare options, priority parking for carsharing and electric vehicles, and bike/scooter sharing facilities through other incentive mechanisms (staff will provide research and recommendations on incentives during a future work session).

Green/Public Space

The Rio29 Small Area Plan's (SAP) Conservation chapter includes a Future Conservation Network Map and narrative descriptions of each of the future public space and trail types. This information was used as the basis for community engagement methods and staff recommendations (below).

Staff solicited specific feedback through online and in-person public engagement about the types of amenities community members would like to see in each of the types of public spaces outlined in the SAP (Attachment 3). Staff heard an overwhelming desire for additional green or public outdoor spaces than that which is currently shown in the Future Conservation Network Map. In addition, the Rio29 Steering Committee expressed interest in a "shared contribution" model for public space development in the area. Staff conducted research on different methods for regulating outdoor public spaces using form-based code (Attachment 7).

Overall Staff Recommendation – Green/Public Space

Staff recommends using the Rio29 Small Area Plan's Future Conservation Network Map to establish the basis for Rio29's required outdoor space components.

Through public engagement, staff heard feedback that the Future Conservation Network Map does not include sufficient green and public space to achieve the vision of Rio29 as "a vibrant, mixed use community enhanced through conservation and public amenities." Additionally, as established, this map would not meet the Small Area Plan's key outcome of "access to a quality amenity spaces within one-quarter (1/4) mile walking distance."

Staff recommends requiring a percentage of open/amenity space within each development, dictated by the property's character area. Space types may be selected from the table provided. Staff recommends that incorporating required green spaces and trail connections (per the Future Conservation Network Map) may be counted towards this requirement (Attachment 7).

Q3 How should a form-based code for Rio29 balance the goals of a community "enhanced through conservation and public amenities" with increased flexibility for the development community?

Staff Recommendation: Staff recommends requiring construction of public space shown on the Rio29 Future Conservation Network Plan (Regulating Plan) at the time of redevelopment, with the following stipulations:

- Areas shown as public spaces in the Regulating Plan shall be dedicated for future public use. Open space dedicated to public use shall count towards the minimum required on-site open space. If a developer wishes to relocate the public amenity space to a different on-site location, this may be done through special exception, provided that the proposed design is consistent with the purpose and intent of the Small Area Plan vision and recommendations.
- A developer/property owner of a project may contribute cash-in-lieu of providing public space on-site to assist with off-site construction of a public amenity space, if it is within a certain radius of a public space shown on the Regulating Plan and below a certain size (in acres).

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission review and discuss the above analysis, attached summaries and recommendations, and provide direction to staff on the questions above. Staff will be working to further develop recommendations on these topics in the coming weeks and welcomes additional suggestions from the Planning Commission. A finalized and complete list of recommendations will be drafted based on Planning Commission feedback and additional future engagement opportunities. A complete draft "framework" will be shared with the Planning Commission in November 2019.

Attachments:

- Attachment 1 – [Updated Project Work and Community Engagement Plan](#)
- Attachment 2 – [August 20th Planning Commission Work Session Summary](#)
- Attachment 3 – [Streets, Parking and Green/Public Space | Public Engagement Summary](#)
- Attachment 4 – [Streets | Research and Overview](#)
- Attachment 5 – [Parking | Research and Overview](#)
- Attachment 6 – ["The High Cost of Parking Requirements" by Donald Shoup](#)
- Attachment 7 – [Public Space | Research and Overview](#)