



# Albemarle County

## Legislation Text

---

**File #:** 20-591, **Version:** 1

---

**AGENDA DATE:** 12/16/2020

**TITLE:**

Work session on Rio29 Form-Based Code

**SUBJECT/PROPOSAL/REQUEST:** Work session to discuss draft Rio29 Form-Based Code and staff recommendations regarding future planning and design work

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Filardo, Herrick, McCulley, Rapp, Falkenstein, Accardi, Brumfield

**PRESENTER (S):** Rachel Falkenstein, Michaela Accardi, Lea Brumfield

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey Richardson

**BACKGROUND:** The Rio29 Small Area Plan (the Plan) was developed through a two-year community driven engagement process. 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 Board of Supervisors adopted the Plan on December 12, 2018. The Implementation Chapter of the Plan recommends “amending the County’s Zoning Ordinance and Map to include a form-based code tailored to the area.”

In March 2019, the Board directed staff to begin work on drafting a form-based code (FBC) consistent with the Plan’s vision to allow development to occur through a by-right (staff approved) process. Throughout 2019, staff developed a draft FBC framework (Attachment B2) based upon rigorous stakeholder and community engagement, staff research, and a series of four work sessions with the Planning Commission. In December 2019, the Board of Supervisors endorsed the draft framework and directed staff to continue work on a draft FBC ready for Planning Commission and Board consideration.

Staff is currently sharing the draft Rio29 FBC with property owners, residents, and stakeholders. In October, staff conducted a meeting with the Rio29 Steering Committee, and throughout November, staff held meetings with property owners, residents, and key members of the development community to share the draft and receive feedback. Staff will share summaries of preliminary community feedback at the Board work session.

On November 4, 2020, the Board directed staff to include the County’s intent for long-term maintenance and ownership of required civic spaces and street amenities in the Rio29 FBC (Attachment B3). On November 17, 2020, the Planning Commission held a work session to review and discuss the current draft FBC (Attachment B).

**STRATEGIC PLAN:** Thriving Development Areas: Attract quality employment, commercial, and high density residential uses into development areas by providing services and infrastructure that encourage

redevelopment and private investment while protecting the quality of neighborhoods

**DISCUSSION:** Staff received favorable feedback on the draft FBC at the November 17, 2020 Planning Commission work session. The Commission highlighted additional areas of focus in increased sustainability incentives and requirements, detailed design guidelines for urban parks and civic spaces, and emphasis on the protection of scenic views. This feedback aligned with staff's recommendation for future planning and design work (Attachment B4).

The Community Development work program, approved by the Board of Supervisors, calls for adoption of the Rio29 FBC by the end of first quarter of 2021. After the December Board work session, staff plans to make final revisions based on community and Board feedback and will prepare a final draft for public hearing and adoption in the first quarter of 2021.

**BUDGET IMPACT:** No additional staff or resources are anticipated.

**RECOMMENDATION:**

Staff recommends that the Board of Supervisors review and discuss the attached summary of Rio29 FBC work and structure (Attachment A), the draft Rio29 Form-Based Code (Attachment B1), and the future planning and design work (Attachment B4). Once staff receives and incorporates feedback from the Board of Supervisors, the Planning Commission will hold a public hearing to provide a recommendation to the Board on a final draft FBC.

**ATTACHMENTS:**

- Attachment A - Summary of Rio29 FBC work and structure
- Attachment B - Staff report for November 17, 2020 Planning Commission work session
- Attachment B1 - Draft Rio29 Form-Based Code
- Attachment B2 - 2019 FBC Framework (12/18/2019)
- Attachment B3 - BOS Memo regarding Rio29 Public Spaces (11/4/2020)
- Attachment B4 - Preliminary list of future planning and design work