COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS

SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZTA202400001, ZMA-2026-00007, TA-2026-00011, CPA-2026-00002 Rio29 Form-Based Code **SUBJECT/PROPOSAL/REQUEST:** • ZTA202400001 –Amend the Rio29 Form-Based Code (FBC) Overlay District and corresponding sections of County Code Chapter 18 • ZMA-2026-00007 – Amend the Rio29 FBC Overlay District map • TA-2026-00011 – Amend portions of Chapter 14, to support amendments to the the Rio29 FBC Overlay District • CPA-2026-00002 – Amend the Rio29 Small Area Plan **SCHOOL DISTRICT:** Agnor and Woodbrook Elementary Schools, Burley and Journey Middle Schools, Albemarle High School	**AGENDA DATE:** November 18, 2026 **STAFF CONTACT(S):** Richardson, Herrick, Tevendale, Svoboda, Barnes, McDermott, Maliszewski, Gleason, Brumfield **PRESENTER(S):** Mariah Gleason, Michael Barnes

BACKGROUND:
Following the adoption of the Rio29 Small Area Plan (Rio29 SAP) in 2018, the County adopted the Rio29 Form-Based Code Overlay District (Rio29 FBC) into Chapter 18 of the County Code and established the Rio29 FBC Overlay district map as part of the zoning map in 2021. Both were intended as tools to implement the vision of the Rio29 SAP. As staff and developers worked with the Rio29 FBC, feedback and experience with the regulations and review process identified several challenges with the current Rio29 FBC.

The Board of Supervisors adopted a resolution of intent to amend Rio29FBC on April 3, 2024 and directed staff to draft amendments.. Staff initially anticipated that revisions would be limited to text amendments to the Rio29 FBC. However, feedback from project consultants, the development community, and industry professionals revealed the need for more comprehensive changes to make the optional Rio29 FBC more effective and practical to use. As a result, revisions to support the Rio29 FBC expanded to include updates to the Rio29 FBC Overlay District map, the subdivision ordinance (County Code Chapter 14), and specific development recommendations in the Rio29 SAP of the County's Comprehensive Plan. These additional amendments are intended to improve coordination among planning and regulatory documents and better support implementation of the Rio29 SAP's vision.

DISCUSSION:
At its meeting on September 22, 2026, the Planning Commission (PC) voted 7:0 to recommend approval of ZTA202400001, ZMA-2026-00007, TA-2026-00011, and CPA-2026-00002 for the reasons listed in the staff report. The PC staff report, action memo, and minutes are attached (Attachments A, B, and C).

At the public hearing, the PC discussed a range of topics including changes to the Core character area boundaries, parking and fenestration requirements, public and private ownership of recreation spaces, flexibility in the regulations, and stakeholder feedback and engagement within the revision process.

There was considerable discussion around conservation-related provisions in the revised Rio29 FBC language. Commissioners noted that while the term "conservation" is not explicitly stated, there are

numerous conservation-related elements embedded within the Rio29 FBC, and encouraged staff to state this more directly in the Rio29 FBC. Staff found that this was not necessary because conservation is already explicitly referenced in the purpose statement of the Rio29 FBC.

The PC also discussed the importance of public investment in infrastructure and amenities to help attract private development within the Rio29 Overlay District. In addition, Staff flagged minor corrections to be resolved prior to the Board of Supervisors public hearing and described plans to create a developer-oriented user guide for the updated Rio29 FBC.

Following the PC public hearing, the proposed Rio29 FBC amendments were revised to incorporate comments provided by the PC, both in writing and during the meeting. In addition, staff made minor edits to correct errors identified by staff and others. These changes do not reflect substantive revisions to the proposed text, with the exception of changes to the residential vehicle parking standards.

The draft Rio29 FBC presented to the PC included proposed residential vehicle parking standards based on legislation under consideration by the Virginia General Assembly that would have restricted parking requirements for residential developments. However, last-minute revisions to the legislation limited its applicability to certain circumstances. As adopted, the legislation does not apply to the Rio29 FBC. Thus, the proposed language has been revised to restore the original recommendations, which are based on parking standards used by other Virginia localities with form-based codes (see Section 20C.9.C.2).

RECOMMENDATIONS:
Staff recommends the Board adopt the attached ordinances and resolution to approve ZTA202400001, ZMA-2026-00007, TA-2026-00011, and CPA-2026-00002 (Attachments D, E, F, and G, respectively).

ATTACHMENTS:

A. Planning Commission (PC) Staff Report
   - A1. Existing Rio29 Form-Based Code, adopted September 1, 2021
   - A2. Proposed Rio29 Form-Based Code and associated zoning text amendments
   - A3. Proposed Rio29 Form-Based Code and associated zoning text amendments (annotated)
   - A4. Existing Rio29 Form-Based Code overlay district map, adopted September 1, 2021
   - A5. Proposed Rio29 Form-Based Code overlay district map
   - A6. Proposed subdivision text amendments to support the Rio29 Form-Based Code
   - A7. Proposed Rio29 Small Area Plan
   - A8. Proposed Rio29 Small Area Plan (redline)
   - A9. Planning Commission Work Session #1 – Staff Report
   - A10. Planning Commission Work Session #1 – Meeting Minutes
   - A11. Planning Commission Work Session #2 – Staff Report
   - A12. Planning Commission Work Session #2 – Meeting Minutes

B. Planning Commission Action Letter
C. Planning Commission Minutes
D. Ordinance ZTA-2024-00001 Rio29 Form-Based Code
E. Ordinance ZMA-2026-00007 Rio-29 Overlay District Map
F. Ordinance TA-2026-00011 Chapter 14 amendments
G. Resolution CPA-2026-00002 Rio29 Small Area Plan