ORDINANCE NO. 26-18 (_)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE I, GENERAL PROVISIONS, ARTICLE II, BASIC REGULATIONS, ARTICLE III, DISTRICT REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia that Chapter 18, Zoning, Article I, General Provisions, Article II, Basic Regulations, Article III, District Regulations, is hereby reordained and amended as follows:

By Amending:

Sec. 18-3.1	Definitions
Sec. 18-4.15.10	Maximum sign number, area, and height, and minimum sign setback in the PUD, DCD, and NMD zoning districts.

By Repealing:

Sec. 18-20C.1	Purpose and intent.
Sec. 18-20C.2	Administration and general provisions.
Sec. 18-20C.3	Definitions.
Sec. 18-20C.4	Character areas.
Sec. 18-20C.5	Regulating plan.
Sec. 18-20C.6	Permitted uses.
Sec. 18-20C.7	Street standards.
Sec. 18-20C.8	Building standards.
Sec. 18-20C.9	Parking standards.
Sec. 18-20C.10	Architectural design standards.
Sec. 18-20C.11	Civic space standards.
Sec. 18-20C.12	Affordable housing requirement.

By Adopting:

Sec. 18-20C.1	Establishment and Administration
Sec. 18-20C.2	Standards and Procedures
Sec. 18-20C.3	Definitions
Sec. 18-20C.4	Character Areas
Sec. 18-20C.5	Streets
Sec. 18-20C.6	Permitted Uses
Sec. 18-20C.7	Recreation Spaces
Sec. 18-20C.8	Building Form
Sec. 18-20C.9	Parking
Sec. 18-20C.10	Architecture
Sec. 18-20C.11	Landscaping and Lighting
Sec. 18-20C.12	Affordable Housing

CHAPTER 18: ZONING

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ARTICLE I—GENERAL PROVISIONS

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SECTION 3 – DEFINITIONS

Sec. 3.1 Definitions

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Wooded area, forested area. "Wooded area" or "forested area" means an area containing one of the minimum number of trees of specified size, or combinations thereof, from the ~~following~~ table~~:~~ below. The dripline of trees contributing to a wooded area must be completely inside the boundaries of the development or within an easement protecting the health of the tree(s) to at least the extent of the dripline and approved by the County Attorney's Office.

Diameter of Tree at Breast Height	Per Acre	Per One-Half Acre
3.0"—4.9"	60	30
5.0"—6.9"	38	19
7.0"—8.9"	22	11
9.0"—10.9"	14	7
11.0"—12.9"	10	5
13.0"—14.9"	7	4
15.0"+	5	3

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(§ 3.1: 20-3.1, 12-10-80, 7-1-81, 12-16-81, 2-10-82, 6-2-82, 1-1-83, 7-6-83, 11-7-84, 7-17-85, 3-5-86, 1-1-87, 6-10-87, 12-2-87, 7-20-88, 12-7-88, 11-1-89, 6-10-92, 7-8-92, 9-15-93, 8-10-94, 10-11-95, 11-15-95, 10-9-96, 12-10-97; § 18-3.1, Ord. 98-A(1), 8-5-98; Ord. 01-18(6), 10-3-01; Ord. 01-18(9), 10-17-01; Ord. 02-18(2), 2-6-02; Ord. 02-18(5), 7-3-02; Ord. 02-18(7), 10-9-02; Ord. 03-18(1), 2-5-03; Ord. 03-18(2), 3-19-03; Ord. 04-18(2), 10-13-04; 05-18(2), 2-2-05; Ord. 05-18(7), 6-8-05; Ord. 05-18(8), 7-13-05; Ord. 06-18(2), 12-13-06; Ord. 07-18(1), 7-11-07; Ord. 07-18(2), 10-3-07; Ord. 08-18(3), 6-11-08; Ord. 08-18(4), 6-11-08; Ord. 08-18(6), 11-12-08; Ord. 08-18(7), 11-12-08; Ord. 09-18(3), 7-1-09; Ord. 09-18(5), 7-1-09; 09-18(8), 8-5-09; Ord. 09-18(9), 10-14-09; Ord. 09-18(10), 12-2-09; Ord. 09-18(11), 12-10-09; Ord. 10-18(3), 5-5-10; Ord. 10-18(4), 5-5-10; Ord. 10-18(5), 5-12-10; Ord. 11-18(1), 1-12-11; Ord. 11-18(5), 6-1-11; Ord. 11-18(6), 6-1-11; Ord. 12-18(3), 6-6-12; Ord. 12-18(4), 7-11-12; Ord. 12-18(6), 10-3-12, effective 1-1-13; Ord. 12-18(7), 12-5-12, effective 4-1-13; Ord. 13-18(1), 4-3-13; Ord. 13-18(2), 4-3-13; Ord. 13-18(3), 5-8-13; Ord. 13-18(5), 9-11-13; Ord. 13-18(6), 11-13-13, effective 1-1-14; Ord. 13-18(7), 12-4-13, effective 1-1-14; Ord. 14-18(2), 3-5-14; Ord. 14-18(4), 11-12-14; Ord. 15-18(1), 2-11-15; Ord. 15-18(2), 4-8-15; Ord. 15-18(4), 6-3-15; Ord. 15-18(5), 7-8-

15; Ord. 15-18(10), 12-9-15; Ord. 16-18(1), 3-2-16; Ord. 16-18(7), 12-14-16; Ord. 17-18(1), 1-18-17; Ord. 17-18(2), 6-14-17; Ord. 17-18(4), 8-9-17; Ord. 17-18(5), 10-11-17; Ord. 18-18(1), 1-10-18; Ord. 18-18(4), 10-3-18; Ord. 19-18(3), 6-5-19) (§ 4.15.03: 12-10-80; 7-8-92, § 4.15.03, Ord. 01-18(3), 5-9-01; Ord. 05-18(4), 3-16-05; Ord. 10-18(1), 1-13-10; Ord. 10-18(3), 5-5-10; Ord. 10-18(5), 5-12-10; Ord. 11-18(1), 1-12-11; Ord. 12-18(2), 3-14-12; Ord. 14-18(3), 6-4-14; Ord. 15-18(3), 5-6-15; § 4.15.3; Ord. 15-18(11), 12-9-15; Ord. 17-18(4), 8-9-17) (§ 4.17.3: Ord. 98-18(1), 8-12-98; Ord. 01-18(8), 10-17-01; Ord. 17-18(5), 10-11-17) (§ 4.18.2: Ord. 00-18(3), 6-14-00; Ord. 13-18(4), 9-4-13) (§ 10.3.3.1: § 20-10.3.3.1, 11-8-89; § 18-10.3.3.1, Ord. 98-A(1), 8-5-98; Ord. 01-18(6), 10-3-01) (§ 30.2.4: § 30.2.4, 12-10-80) (§ 30.3.5: § 30.3.02.1 (part), 12-10-80; 6-10-87; Ord. 05-18(1), 1-5-05, effective 2-5-05; § 30.3.5; Ord. 14-18(1), 3-5-14; Ord. 17-18(4), 8-9-17); § 3.1, Ord. 19-18(3), 6-5-19; Ord. 19-18(6), 8-7-19; Ord. 20-18(2), 9-2-20; Ord. 20-18(3), 9-16-20; Ord. 21-18(3), 6-2-21; Ord. 22-18(2), 4-6-22; Ord. 22-18(1), 8-3-22; Ord. 23-18(3), 12-6-23; Ord. 24-A(1), 1-10-24, effective 7-1-24; Ord. 24-18(3), 9-4-24; Ord. 25-18(1), 4-2-25; Ord. 24-18(1), 9-17-24; Ord. 25-18(2), 7-16-2025; Ord. 26-18( ), 11-18-26)

State Law reference— Va. Code § 15.2-2286(A)(4).

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ARTICLE II—BASIC REGULATIONS

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SECTION 4—GENERAL REGULATIONS

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Sec. 4.15 - Signs.

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Sec. 4.15.10 – Maximum sign number, area, and height, and minimum sign setback in the PUD, DCD, and NMD zoning districts.

The maximum number of signs permitted, sign area, and sign height, and the minimum sign setback are as follows for each sign for each sign within the Planned Unit Development (PUD), Downtown Crozet (DCD) and Neighborhood Model (NMD) districts, and parcels developed under the Rio29 Form-Based Code overlay district:

Sign Type	Number of Signs Allowed (Maximum)	Sign Area (Maximum)[8, 9, 10]	Sign Height (Maximum)	Sign Setback (Minimum)
Directional[1]	1 or more per establishment, as authorized by	24 square feet	6 feet	5 feet

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	zoning administrator			
Freestanding[2, 3]	1 per street frontage, or 2 per entrance, per lot with 100 or more feet of continuous street frontage plus 1 per lot if the lot is greater than 4 acres and has more than 1 approved entrance on its frontage	32 square feet, plus bonus tenant panels; if more than 1 sign at an entrance, no single sign shall exceed 16 square feet	12 feet	5 feet
Projecting[4]	1 per street frontage; 1 for each façade of each establishment on properties developed under the Rio29 Form-Based Code	24 square feet	30 feet, but not to exceed the top of the fascia or mansard	Not applicable
Subdivision[5]	2 per entrance	24 square feet per entrance; if more than 1 sign, no single sign shall exceed 12 square feet	6 feet	5 feet
Temporary[6, 7]	1 per street frontage per establishment	24 square feet	12 feet, if freestanding sign; 20 feet, if residential wall sign; 30 feet if nonresidential wall sign, but not to exceed the cornice line	5 feet
Wall[4]	As calculated pursuant to section 4.15.15	1.5 square feet per 1 linear foot of establishment structure frontage, not to exceed 32 square feet if	Not to exceed the cornice line	Same as that applicable

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		residential wall sign, or 100 square feet if nonresidential wall sign, or 200 square feet for establishments with primary frontage along a Through Corridor on properties developed under the Rio29 Form-Based Code.		to structure

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(§ 4.15.12.4, 12-10-80; 7-8-92; § 4.15.11, Ord. 01-18(3), 5-9-01; Ord. 03-18(2), 3-19-03; Ord. 10-18(1), 1-13-10; Ord. 12-18(2), 3-14-12; § 4.15.10, Ord. 15-18(11), 12-9-15; Ord. 17-18(4), 8-9-17; Ord. 26-18( ), 11-18-26)

State Law reference— Va. Code § 15.2-2280.

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ARTICLE III - DISTRICT REGULATIONS

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SECTION 20C - RIO29 FORM-BASED CODE OVERLAY DISTRICT – RIO29 FBC DISTRICT

~~Sec. 20C.1 Purpose and intent.~~

~~The Rio29 Form-Based Code Overlay District (Rio29 FBC District) is created to encourage a development pattern consistent with the vision described in the Rio29 Small Area Plan. The Rio29 Small Area Plan envisions an area that is:~~

~~1. A multimodal hub with a connected network of complete streets, which are designed for all users;~~

~~2. A vibrant and diverse mixed-use community with interesting character and a human-scale built environment; and~~

~~3. A place enhanced through conservation with a network of sustainable and usable public spaces that enrich community and preserve and enhance natural resources.~~

~~The Rio29 Form-Based Code (Rio29 FBC) is intended to support redevelopment of existing conventional suburban development to establish new, compact development patterns with an urban scale, mass, density, and a mixture of uses within close proximity to each other. Further, the Rio29 FBC is intended to:~~

~~1. Allow development that achieves the vision through an administrative process;~~

~~2. Establish clear expectations for residents, property owners, developers, and the County for new development;~~

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3. Be applied upon adoption and allow the area to transition over time to meet the vision; and

4. Strike the appropriate balance between regulation to achieve the desired form, and flexibility to accommodate market changes, creativity in design, and a mix of uses.

The purpose and intent of each section outlined below are based on this vision. The provisions outlined will inform the development of property within the Rio29 FBC District and provide administrative guidance for waivers or exceptions to the Rio29 FBC.

A. *Uses.* Regulation of uses in the Rio29 FBC District is de-emphasized in favor of regulation of street, site, and building forms. Some use regulations remain to avoid negative impacts to residents and other uses.

B. *Streets.* Streets in the Rio29 FBC District are designed as "complete streets" to balance the safety and needs of all forms of traffic: pedestrian, bicycle, transit, and vehicular. A street's designated character area(s) and function(s) determine the applicable design standards.

   Local streets within the Core prioritize walkability and pedestrian comfort, with automobile movement as a secondary focus.

C. *Building standards.* Building standards govern the physical form and mass of buildings in relation to one another by establishing basic parameters for development. These parameters include building height, ground floor ceiling height, block length, and build-to range. The purpose of the building standards section is to support development that is well-connected, walkable, human-scaled, and includes a high-quality public realm.

D. *Parking and loading standards.* Parking and loading standards promote a "park once" environment that enables convenient access to a variety of activities by walking, biking, and using transit. These standards encourage shared parking to reduce fragmented, inefficient, and single-purpose parking. Parking and loading standards provide access and walkability to activities within the Rio29 FBC District, while preventing adverse parking impacts on the pedestrian environment, public spaces, and neighborhoods adjacent to developments.

   Short-term bicycle parking standards create convenient and accessible bicycle parking areas for customers and other visitors.

   Long-term bicycle parking standards create secure and weather-protected bicycle parking areas for employees, residents, commuters, and other visitors who generally stay at a site for several hours.

E. *Architectural design standards.* The physical design of buildings and neighborhoods contributes significantly to the overall experience of a community. The distinctive characteristics of various buildings make streets interesting, and make neighborhoods satisfying places to live and work. Simplicity in design, honesty in expression, quality craftsmanship, human-scale proportions, and variety in compositions and details establish a comfortable, welcoming environment.

   Architectural design standards set parameters for the exterior design of buildings, addressing appearance using appropriate materials, configurations of building elements, and suitable building techniques. The purpose of the architectural standards section is to reinforce a human-scaled environment with active streets and visual interest and to establish a sense of place that is unique to the Rio29 FBC District.

F. *Civic space standards.* Civic spaces are intended to be places for community members to gather and recreate, and should improve sustainability through the provision of green

infrastructure services. Civic spaces include (but are not limited to): squares, plazas, greens, linear parks, pocket parks, natural areas, and indoor civic gathering spaces.

G. *Affordable housing requirement.* The provision of affordable housing is required in all residential developments containing five or more residential dwelling units to ensure a variety of housing types and levels of affordability are provided in alignment with the Albemarle County Comprehensive Plan (Chapter 9, Housing) and the Housing Albemarle policy (Albemarle County Comprehensive Plan, Appendix 9).

(§ 18-20C.1, Ord. 21-18(4), 9-1-21)

Sec. 20C.2 Administration and general provisions.

A. *Title.* This Code is known as the Rio29 Form-Based Code (Rio29 FBC).

B. *Applicability.*

1. The Rio29 FBC is an optional zoning tool. Property owners who do not opt into the Rio29 FBC retain their existing zoning. Use of the Rio29 FBC is selected through the filing of an application for development under the Rio29 FBC. Properties developed pursuant to the Rio29 FBC must comply with all provisions of the Rio29 FBC.
2. Properties located in the Rio29 FBC District (as designated on the Regulating Plan) may use or develop property pursuant to the Rio29 FBC. After such use or development, all uses permitted pursuant to section 20C.6 are permitted on the property, subject to all Rio29 FBC regulations.
3. If an owner develops a parcel pursuant to the Rio29 FBC, Rio29 FBC regulations apply to the entire parcel as it existed on September 1, 2021.
4. Parcels developed under the Rio29 FBC may not subsequently develop subject to the district regulations of the underlying district.
5. Redevelopment of existing structures or incorporation of existing structures in the development of a parcel may occur in a phased manner by submitting a conceptual plan showing the proposed redevelopment. Existing structures incorporated into a conceptual plan are required to meet all provisions of the Rio29 FBC.
6. In the event of any variation or conflict between any provisions of the Rio29 FBC and other sections of the Albemarle County Code, the provisions of the Rio29 FBC govern. For development standards not covered by this Rio29 FBC, applicable sections of the Albemarle County Code apply. Similarly, all development must comply with all applicable Federal, State and County regulations and ordinances including (but not limited to) Albemarle County Code Chapter 17 (Water Protection) and other environmental regulations.

C. *Application requirements and review process.*

1. *Preapplication meeting.* Any prospective application for development in accordance with the Rio29 FBC must request and hold a meeting with the Community Development Department before submitting an initial site plan. This meeting is referred to as the "pre-application meeting."
    a. *Submitting information.* The applicant must complete and submit information on County -provided forms before or during the pre-application meeting.
    b. *Purposes for a pre-application meeting.* The purposes for a pre-application meeting are to:

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i. Provide the applicant and the County a common understanding of the proposed project;

ii. Inform the applicant about the proposed project's consistency with the Regulating Plan, other relevant policies, and County regulations;

iii. Broadly identify the planning, zoning, and other issues raised by the application that need to be addressed by the applicant;

iv. Inform the applicant about the applicable procedure; and

v. Allow the Director of Planning to identify the information the applicant must submit with the application pursuant to section 32.5.

2. *Submission requirements.*

a. Owners opting to use or develop a parcel pursuant to the Rio29 FBC must submit a Rio29 FBC application at the time of initial site plan submittal.

b. Initial site plan. The applicant must complete and submit an initial site plan according to the requirements outlined in section 32.5.2.

c. Final site plan. The applicant must complete and submit a final site plan according to the requirements outlined in section 32.6.2.

3. *Conceptual plan.*

a. A conceptual plan must be submitted when a new use or redevelopment is proposed that will retain and/or reuse existing buildings, either temporarily or permanently, or if a phased development is proposed that will not bring the full property in compliance during the first phase of development.

b. The conceptual plan must be submitted as part of the Initial Site Plan or as required in section 20C.2.D as part of a special exception. The conceptual plan must include the following:

i. The location of all new development on the site;

ii. The location, condition, and any renovation of existing buildings to be retained;

iii. Any existing site improvements (such as parking areas, landscaping, and open space) to be retained;

iv. The location of existing streets to be retained, future streets, and future connections to streets on adjoining parcels;

v. The location of existing and proposed civic spaces;

vi. The proposed uses on the site;

vii. A phasing plan showing phase lines and the proposed sequence of development; and

viii. A summary of any modifications requested.

D. *Special exceptions.*

1. In addition to special exceptions granted under section 33, special exceptions from the Rio29 FBC may be granted by the Board of Supervisors for the following:

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a. The allowance of multi-family and single-family attached dwellings that occupy greater than 66 percent of the ground floor street-facing façade within the Core character area;

b. The allowance of a single-use artisan manufacturing building with a footprint larger than 20,000 square feet within the Edge character area;

c. Modifications to building standards or to architectural design standards related to the inclusion of existing buildings, subject to the conceptual plan requirements of section 20C.2.D.3;

d. Modifications to block length for reasons other than those listed in section 20C.8.C.2;

e. Relief from the provisions of 20C.2.B.3 to allow the Rio29 FBC to apply to a portion of a parcel existing on September 1, 2021. In addition to the submittal requirements of section 33 the applicant must submit a conceptual plan showing how the entire property could be developed in accord with the regulations of the Rio29 FBC.

2. Special exceptions from the provisions of the Rio29 FBC may be granted by the Board of Supervisors upon a finding that the special exception:

a. Furthers the purpose and intent of the provisions of the Rio29 FBC as described in section 20C.1 (Purpose and intent);

b. Is consistent with the Regulating Plan; and

c. Is consistent with the Comprehensive Plan.

3. Special exceptions to allow modifications to building standards or architectural design standards related to inclusion of existing buildings, or to allow relief from provisions of section 20C.2.B.3, may be granted by the Board of Supervisors following the submittal of a conceptual plan, where the following additional conditions are met:

a. Renovations must not cause existing building(s) to become more nonconforming as to building standards, architectural standards, or any other relevant requirements of this code.

b. Streets that provide site access and/or connectivity to adjacent properties must be constructed or upgraded to meet the requirements of section 20C.7 and be completed prior to commencement of the use, issuance of a zoning clearance, or issuance of a Certificate of Occupancy for the first phase of development.

c. Where a new use is proposed under section 20C.6, existing buildings (constructed prior to September 1, 2021) being retained must be shown as part of the phase in which the building will be first used. The following site and building improvements must be provided prior to commencement of the use, issuance of a zoning clearance, or issuance of a Certificate of Occupancy for the phase of development of the building's first use:

i. Streets to serve each phase of development must be constructed or upgraded to meet the requirements of section 20C.7 with each phase of development.

ii. The minimum area of required civic space, calculated based on the gross acreage of each phase, must be constructed and dedicated with each phase of development.

iii. All existing buildings to be retained must meet architectural design standards of section 20C.10 with each phase of development.

d. Any other conditions as determined by the Board of Supervisors

E. *Agent.* The Director of the Albemarle County Community Development Department is hereby designated the Agent of the Board of Supervisors for the purpose of administering the Rio29 FBC, except as otherwise expressly provided. The Agent or their designee has the power and duty to consider and act on requests to vary or except certain Rio29 FBC regulations, pursuant to the Rio29 FBC. All references to the Agent in this section may apply to the Agent or their designee.

(§ 18-20C.2, Ord. 21-18(4), 9-1-21)

Sec. 20C.3 Definitions.

The following definitions apply only for purposes of the Rio29 FBC.

Alley. "Alley" means a narrow, one-lane road with provisions to access utilities and loading areas.

Articulation of a façade. "Articulation of a façade" (or "façade articulation") means changes in the depth of the surface of a building face or façade such as attached columns, recessed windows or window bays, horizontal banding, or decorative cornices. Articulation gives texture to the building surface.

Artisan manufacturing. "Artisan manufacturing" means the production, display, and sale of individually crafted tangible goods such as artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven article, baked or prepared food and drink, watercraft, and similar items. Artisan manufacturing does not include industrial-scale mass production.

Avenue. "Avenue" means a two-lane, medium-capacity street with provisions to serve both local and through pedestrian, bicycle, and automobile traffic, as well as transit. Berkmar Drive and Hillsdale Drive are Avenues.

Block. "Block" means an increment of land circumscribed and not traversed by streets (alleys and pedestrian pathways excepted). Block length is measured along the edge of a street right-of-way. The measurement is taken along parcel frontages from one corner of a street right-of-way to the next.

Boulevard. "Boulevard" means a four-lane, high-capacity street with provisions to serve both local and through pedestrian, bicycle, and automobile traffic, as well as transit. Rio Road is a Boulevard.

Build-to range. "Build-to range" means a minimum and maximum threshold located on the front(s) of a lot where the structure must be located, measured from the rear edge of the right-of-way or external civic space. The building's street façade wall must be located within the build-to range. Façade articulation, such as window or wall recesses and covered porches, balconies, chimneys, eaves, and like architectural projections are not counted as the building façade line.

Civic space. "Civic space" means an area dedicated to public use that is designated for gathering, socializing, and recreation. Civic space is usually in the form of open outdoors space but may also be in the form of indoor civic gathering spaces.

Commercial parking. "Commercial parking" means the use of surface or structured parking for rent, lease, or sale.

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Community facility. "Community facility" means a public or private recreational, safety, cultural, or religious use or facility such as a camp, volunteer fire/rescue station, religious assembly use, museum, community center, or similar facility.

Conceptual plan. "Conceptual plan" means a plan submitted pursuant to section 20C.2.C.3 that delineates the overall scheme of redevelopment where a new use or redevelopment is proposed that will retain and/or reuse existing buildings.

Cultural amenity space. "Cultural amenity space" means a museum, art gallery, or other cultural facility located within a structure. This type of facility must be open to the public on a regular basis.

Development site. "Development site" means property to be developed pursuant to the Rio29 FBC.

Façade segment length. "Façade segment length" means the length of a building façade without horizontal or vertical plane articulation.

Indoor civic space. "Indoor civic space" means an indoors gathering space that provides public access and cultural, horticultural, or other indoor amenities, designed to accommodate recreational functions including (but not limited to): public meeting spaces, sitting, relaxing, picnicking, or education.

Institutional uses. "Institutional uses" means public or private health or educational uses and facilities such as schools, training centers, universities, hospitals, assisted living facilities, skilled nursing facilities, children's residential facilities, or similar facilities.

Landscaped separation zone. "Landscaped separation zone" means the area between the sidewalk and right-of-way that is designed according to the streetscape elements standards in section 20C.7.C.

Light industrial uses. "Light industrial uses" (LI) means processing, fabricating, assembly, or disassembly of items that take place wholly within an enclosed building and that are compatible with, and do not detract from, surrounding uses. Light industrial uses may involve use of tools or machinery. Large scale storage or warehousing of materials are not light industrial uses.

Linear park. "Linear park" means a long, uninterrupted park within an urban area that features a shared use path (SUP) linking a greenway with other amenities and trails, designed to accommodate recreational functions including (but not limited to): walking, running, cycling, sitting, and relaxing.

Live-work dwelling unit. "Live-work dwelling unit" means a dwelling unit that consists of both a residence and a commercial or manufacturing space used by at least one resident of the unit.

Local street. "Local street" means a two-lane, low-speed street with provisions to serve local pedestrian, bicycle and automobile traffic.

Natural area. "Natural area" means a vegetated outdoor civic space of at least 0.5 acres with little to no impervious surfaces, designed to accommodate wildlife habitats and recreational functions including (but not limited to): walking, jogging, biking, relaxing, or picnicking.

Pedestrian passages. "Pedestrian passage" means a pedestrian-only street with provisions to serve local pedestrian traffic safely and conveniently. Pedestrian passages are open to the sky, except for canopies and trellises.

Plaza. "Plaza" means an outdoor civic space of 0.25—2 acres surrounded on all sides by buildings or roads, designed to accommodate recreational functions including (but not limited to): relaxing, sitting or strolling, casual gatherings, picnics, and organized events.

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Pocket park. "Pocket park" means a small park embedded within an urban or suburban neighborhood of 0.2—0.5 acres, designed to accommodate recreational opportunities for residents and employees of nearby developments, including (but not limited to): relaxing, sitting, strolling, gardening, dog-walking, playing, or casual gatherings. The park may help the meet needs for public or private open space and stormwater management.

Public green. "Public green" means an open outdoor civic space of 0.5 - 5 acres surrounded on all sides by buildings or roads, designed to accommodate recreational functions including (but not limited to): relaxing, sitting or strolling, casual gatherings, or organized events.

Public art. "Public art" means the application of creativity by artists to the production of tangible objects, including (but not limited to): paintings, carvings, collages, sculptures, frescoes, mosaics, site-specific installations, mobiles, engravings, bas-reliefs, and murals. Architects and landscape architects are not artists for purposes of this definition.

Rideshare. "Rideshare" means a transportation service in which a passenger travels in a private vehicle driven by the vehicle's owner, especially as arranged by means of a website or a mobile phone application.

Sidewalk clear zone. "Sidewalk clear zone" means a contiguous, unobstructed portion of sidewalk that allows the safe and convenient passage of pedestrians.

Square. "Square" means a primarily hardscaped outdoor civic space one-half to one block in size, designed to accommodate a variety of functions, including (but not limited to): farmers' markets, outdoor games, food truck sales, concerts, social gatherings, civic gatherings, outdoor learning spaces, pop-up businesses, and passive recreation.

Street façade. "Street façade" means the building elevation facing a street or civic space. Building walls facing private interior courts, common lot lines, alleys, or pedestrian passages are not street façades.

Street furniture. "Street furniture" means benches, seating, and tables that are available for public use along the street frontage.

Through corridor. "Through corridor" means a high-capacity, high speed street with provisions to serve local and regional traffic. Route 29/Seminole Trail is the only through corridor.

Transparency. "Transparency" means the amount of glass in windows and/or doors (including any mullions, muntins and frames) as a percentage of the building façade. Glass must have low reflectivity. Semi-transparent, opaque, frosted, etched, and mirrored glass do not qualify as transparent glass.

(§ 18-20C.3, Ord. 21-18(4), 9-1-21)

Sec. 20C.4 Character areas.

Establishment of character areas. The Rio29 FBC District contains three character areas: Core, Flex and Edge. Designated character areas determine the appropriate uses and forms of development within each designated character area. The uses and forms of development are intended to implement the adopted Rio29 Small Area Plan.

A. *Core.* The Core character area has the highest intensity and most urban form of development within the District. Development encompasses a mixture of uses and an active street life, encouraged by transparent façades, taller ceiling heights, and non-residential uses on the ground floors of buildings. Well-designed civic spaces enhance an urban and pedestrian-friendly experience. People can easily walk, bike, and use transit to reach their destinations within and outside of the Core.

B. *Flex.* The Flex character area accommodates a range of building forms and uses to transition from higher intensity urban development in the Core to the lower intensity development along the Edge. The Flex physically connects the Core and the Edge and has a variety of building heights and block sizes. This connection is enhanced through a network of civic spaces and pedestrian, bike, and transit options.

C. *Edge.* The Edge character area exhibits less intense development than the Core and Flex, given its location next to existing residential neighborhoods. Buildings are expected to have lower heights and smaller forms, while continuing to provide neighborhood services and a mixture of uses.

(§ 18-20C.4, Ord. 21-18(4), 9-1-21)

Sec. 20C.5 Regulating plan.

The Rio29 FBC Regulating Plan indicates the designated character area for each property within the Rio29 FBC District. It also includes the general location of required civic spaces, pursuant to section 20C.11.

The Rio29 Small Area Plan includes a Future Connectivity Plan, which depicts an interconnected network of street types as depicted in section 20C.7. Site plans under the Rio29 FBC should reference the Future Connectivity Plan. While redevelopment and new development will determine the actual location of streets, site plans should provide direct multi-modal connections that will allow people to easily walk, bike, and use transit to reach their destinations within and outside of the Rio29 District.

(§ 18-20C.5, Ord. 21-18(4), 9-1-21)

Sec. 20C.6 Permitted uses.

A. *Permitted uses.* The uses permitted in each character area are listed in Table 1. Accessory uses are permitted unless explicitly prohibited in Table 1.

Table 1: Permitted Uses

USE CATEGORY	CHARACTER AREA			
	Core		Flex	Edge
	Ground floor	Upper floors		
RESIDENTIAL - DWELLING UNIT TYPES				
Multiple-family dwellings	P	P	P	P
Live-work dwelling units	P	P	P	P
Single-family attached dwellings	P	P	P	P
Single-family detached dwellings	N	N	N	SE
COMMERCIAL, INDUSTRIAL, and FLEX USES				
Retail sales and service	P	P	P	P
Restaurants, hotels, and lodging	P	P	P	P
Entertainment and recreation	P	P	P	P
Office	P	P	P	P
Artisan manufacturing	P	P	P	P
Commercial parking	P	P	P	N
Fuel pump canopies	SP	SP	SP	SP

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Drive-through windows	N	n/a	SE	SE
Light industrial	P	P	P	SP
PUBLIC and INSTITUTIONAL USES				
Public and institutional uses	P	P	P	P
Community facility uses	P	P	P	P
Fire, ambulance and rescue squad stations (reference 5.1.09).	P	P	P	P
Cultural amenity space	P	P	P	P
Public art	P	P	P	P
SHORT-TERM USES				
Temporary uses	P	P	P	P
Temporary construction uses and temporary storage yards	P	P	P	P
UTILITIES				
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. 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 (reference section 5.1.12).	P	P	P	P
Stormwater management facilities	P	P	P	P
Tier I and Tier II personal wireless service facilities (reference section 5.1.40).	P	P	P	P
Tier III personal wireless service facilities (reference section 5.1.40).	SP	SP	SP	SP
P = Permitted by right SE = Special exception required N = Not permitted SP = Special use permit required				

B. *Use provisions.*

1. *General provisions.*

a. Any materials stored outdoors, with the exception of outdoor display for advertisement, must be hidden behind an opaque fence to screen the ground-level view from any public right-of-way or any residential use, and materials may not be piled or stacked higher than the opaque fence; and

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b. Any use producing noise, vibrations, glare and heat, or electrical disturbance that is subject to the performance standards of section 4.14 must be conducted within an enclosed building; and

c. Each prospective use of an industrial or manufacturing character must submit a certified engineer's report pursuant to section 4.14.5. prior to commencement of the use, issuance of a zoning clearance, or issuance of a Certificate of Occupancy for the site.

2. *Multiple-family dwellings and single-family attached dwellings.*

a. Multiple-family dwellings and single-family attached dwellings may locate on the ground floor of the Core character area, provided that:

i. No more than two-thirds of the ground floor street facing façade of a single building may be occupied by multiple-family or single-family attached residential uses. This standard does not apply to façades facing through corridors;

ii. The construction and design of the ground story must allow for future conversion to a commercial use. The ground floor must be sprinklered as required under the Virginia Construction Code for commercial uses; and

iii. Temporary false floors or drop ceilings are permitted to allow shorter ground floor ceiling heights, provided that a future conversion could comply with section 20C.8.

3. *Live-work dwelling units.*

a. Any non-residential use of a live-work dwelling unit must be conducted by one or more residents of the unit.

b. Any non-residential use of a live-work dwelling unit must comply with all performance standards of section 4.14.

c. Any non-residential use of a live-work dwelling unit must obtain a zoning clearance prior to commencing the use.

d. The commercial or manufacturing space in a live-work dwelling unit must have a ceiling height of at least 12 feet.

e. The residential and commercial or manufacturing spaces in a live-work dwelling unit may not be sold, rented, or subleased separately.

f. Live-work dwelling units may have a maximum floor area of 3,000 square feet.

4. *Artisan manufacturing.*

a. Any individual artisan manufacturing establishment may not employ more than 20 full-time employees or the equivalent part-time employees.

b. Any individual artisan manufacturing establishment may have regular storefront hours during which a portion of the premises is open to the public for sale of finished products.

c. An artisan manufacturing use may hold workshops, classes, or events related to the manufacturing use, provided they are accessory to the manufacturing use.

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d. Single-use buildings containing an artisan manufacturing use within the Edge character area may not exceed a building footprint of 20,000 square feet, unless granted a special exception.

5. *Light industrial.*

a. A light industrial use may hold workshops, classes, or events related to the manufacturing use, provided they are accessory to the manufacturing use.

6. *Public art.*

a. The following items are not considered public art, for purposes of the Rio29 FBC: reproductions or unlimited copies of original artwork; mass-produced art objects; the overall architectural design of a building; architectural rehabilitation or historic preservation; and logos or interpretations of logos.

b. Public art must be located outside of buildings and be completely visible from the public right-of-way or on a publicly viewable façade. It must be permanently fixed, outside of sight distance triangles.

7. *Temporary uses.*

a. Temporary uses must obtain a zoning clearance prior to operation, for operation of up to 180 days. Temporary use zoning clearances may not be renewed.

b. All use permitted in a character area under the Rio29 FBC may be permitted as a temporary use per Table 1.

c. *Structures used for temporary uses.* Temporary uses are permitted in structures in the Rio29 District built before September 1, 2021, and in the following structures as permitted by the Building Code:

i. Modular buildings or shipping containers of less than 256 square feet as approved by the Virginia Construction Code;

ii. Trucks and trailers located in place for more than two hours; or

iii. In tents or outside.

d. Temporary uses are exempt from sections 20C.7, 20C.8, 20C.10, 20C.11, and 20C.12.

e. Section 20C.9 applies to temporary uses under the Rio29 FBC.

f. Temporary uses in the Rio29 FBC District may request a temporary sign permit pursuant to section 4.15.6, for a period of up to 180 days.

8. *Uses not specifically listed.*

a. The Agent may determine that a use not specifically listed is permitted, provided that such use is similar to the listed permitted uses in terms of locational requirements, operational characteristics, visual impact and traffic generation. The Agent's determinations may be appealed pursuant to section 34.

(§ 18-20C.6 Ord. 21-18(4), 9-1-21)

Sec. 20C.7 Street standards.

A. *Street locations.*

1. Each street must provide an interconnected network of streets consistent with the Rio29 Small Area Plan.

2. New street locations will be determined in collaboration between the property owner, the Agent, and VDOT.

3. Streets must provide a network of blocks with block lengths pursuant to section 20C.8.

4. Streets must:

   a. Be coordinated with existing or planned streets as to location, width, grades and drainage within the general area of the development site;

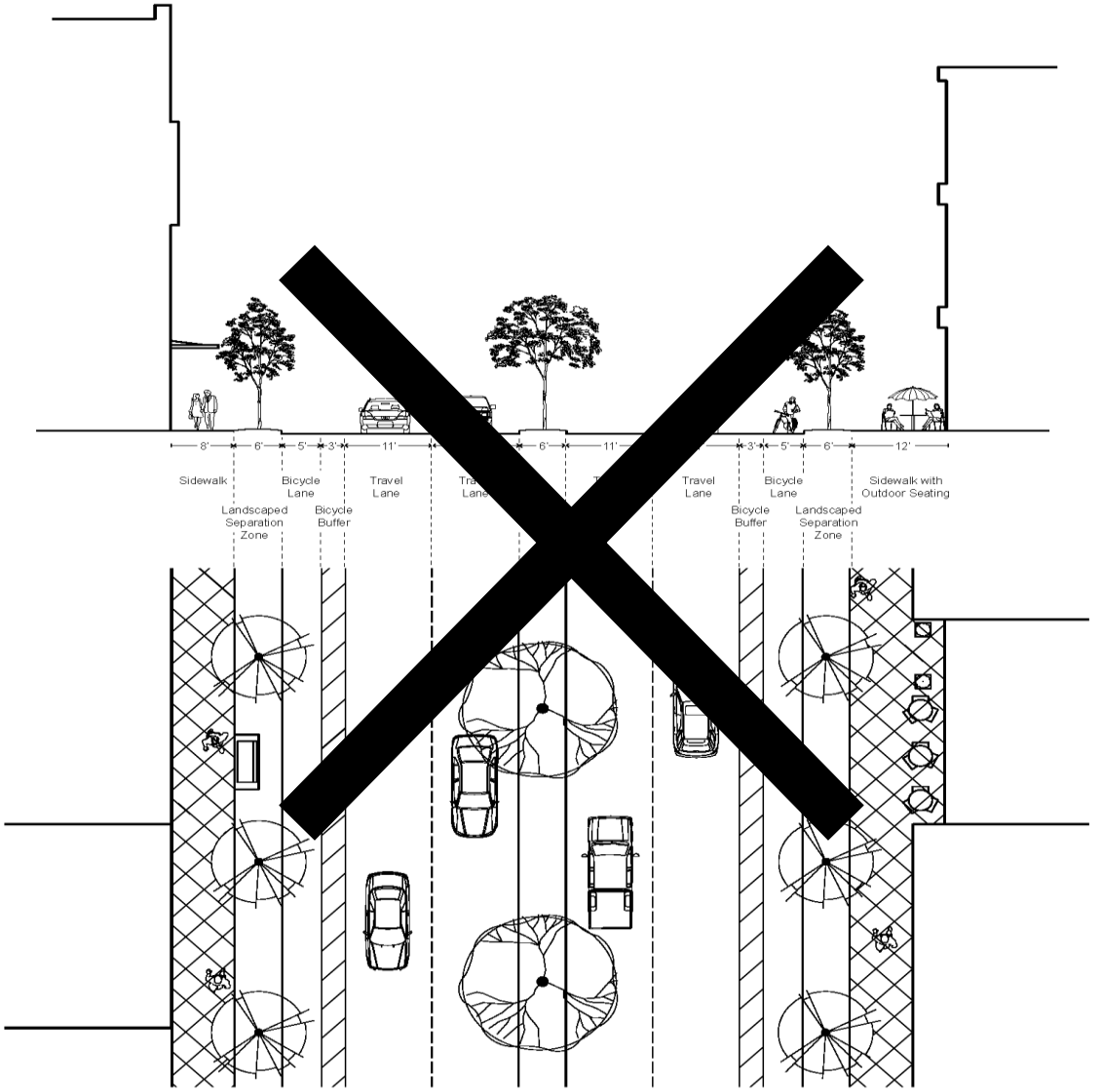
   b. Connect to planned, existing, or platted streets in adjoining areas by dedication or reservation of right-of-way.

5. All streets within a development site must be extended and constructed to the abutting property lines to provide vehicular and pedestrian interconnections to existing or future development on adjoining properties.

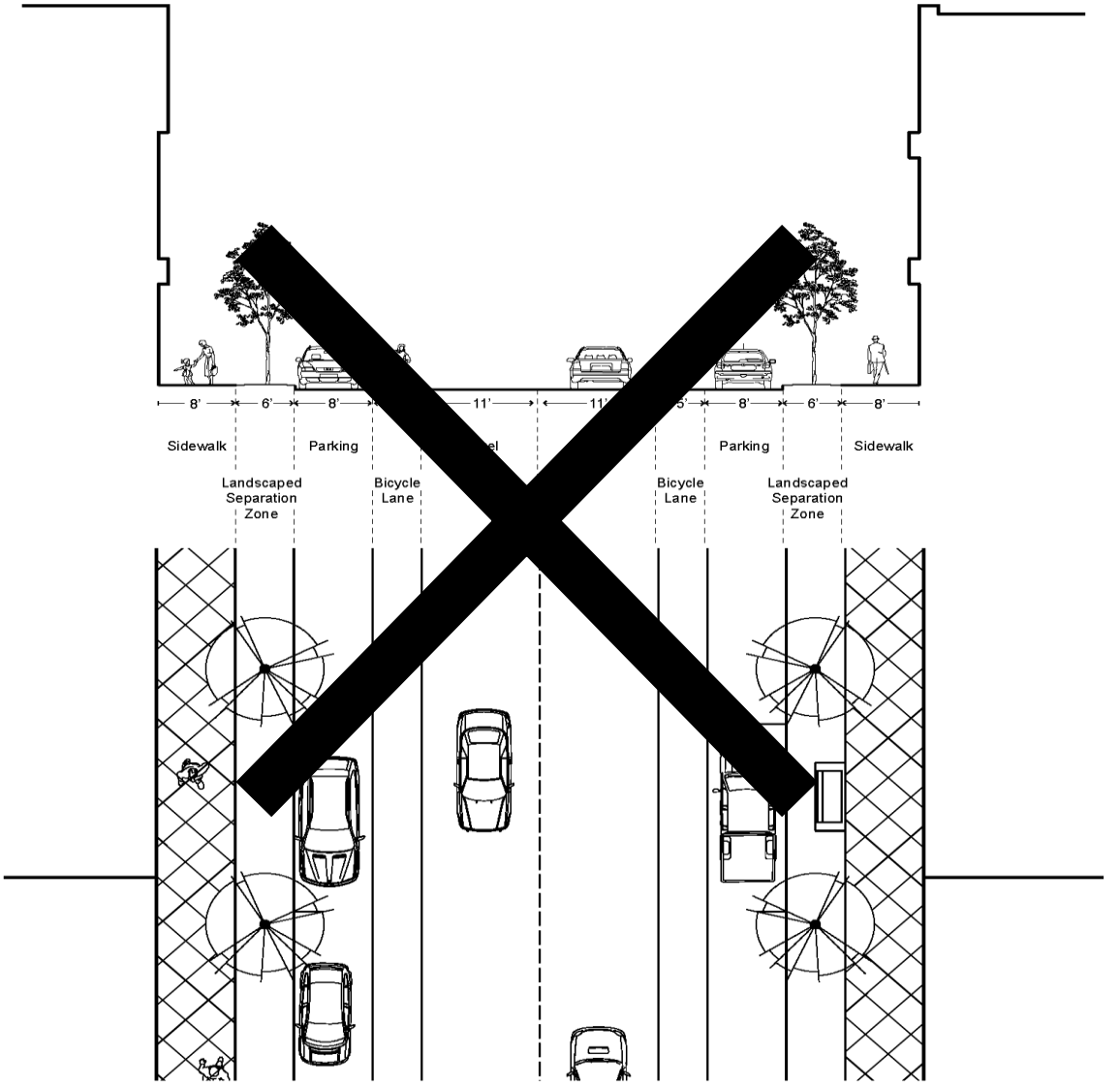
B. *Street sections.*

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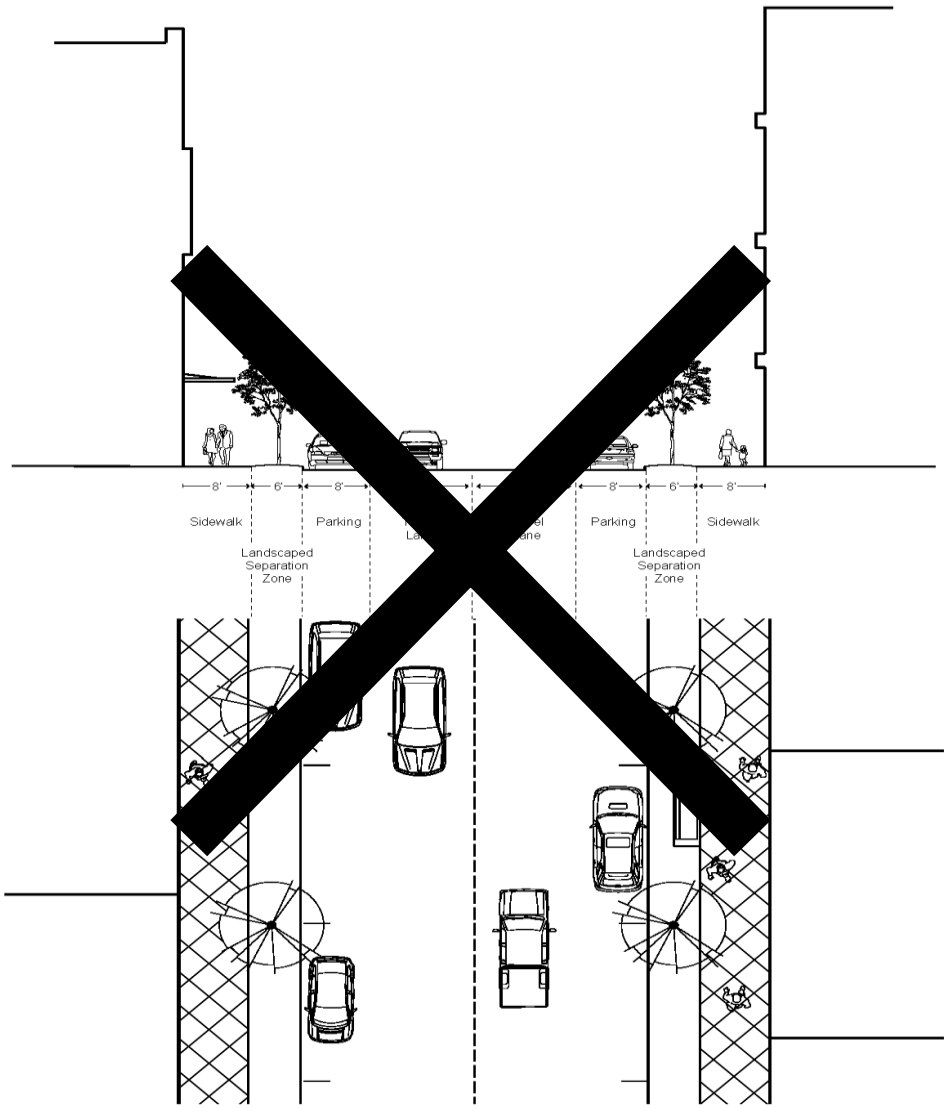
~~**Figure 1: Boulevard Streets**~~



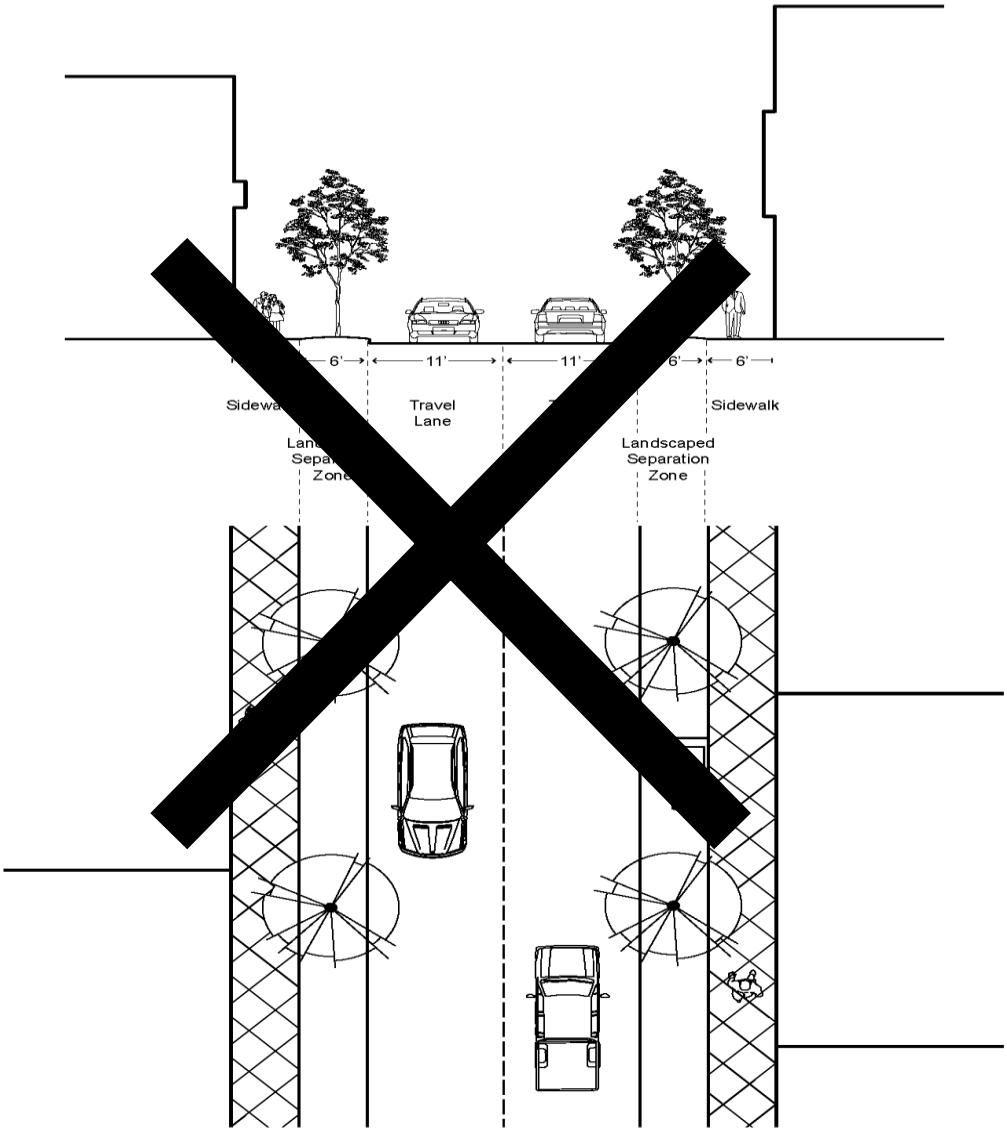
~~Figure 2: Avenue Streets~~



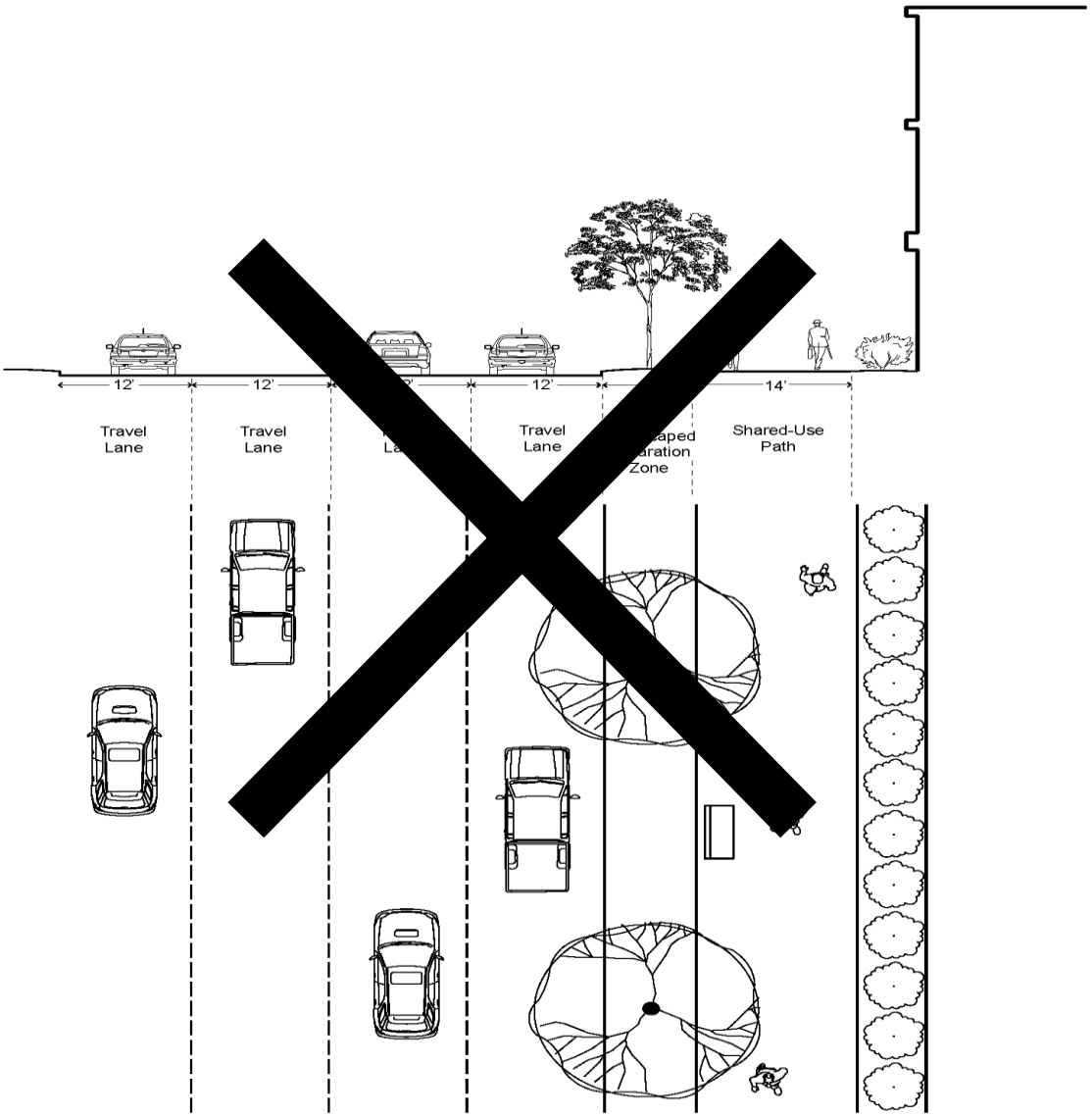
~~**Figure 3: Local Streets (Core)**~~



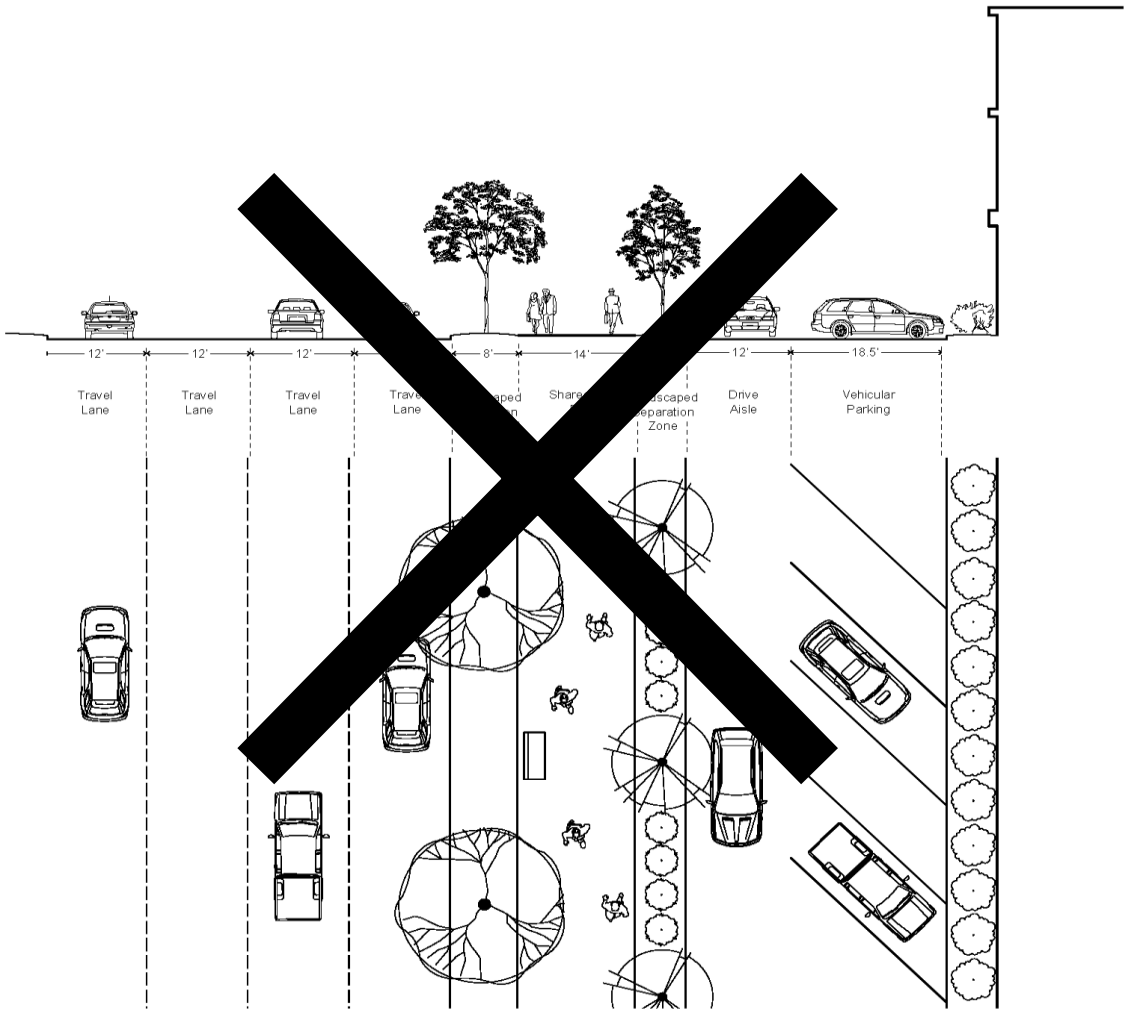
~~Figure 4: Local Streets (Flex/Edge)~~



~~Figure 5: Through Corridor~~



~~Figure 6: Through Corridor (with Parking and Drive Aisle)~~



~~*C. Street standards.*~~

~~1. Streets within the Rio29 FBC District platted after September 1, 2021 must comply with the following standards:~~

~~a. Rio Road must comply with Boulevard street standards;~~

~~b. Hillsdale Drive and Berkmar Drive, including extensions and future sections shown on the Rio29 Future Connectivity Plan (see Rio29 Small Area Plan), must comply with Avenue street standards.~~

~~c. All other streets must comply with local street standards.~~

~~d. Pedestrian passages and alleys may be provided at the option of the developer but, where provided, must comply with Rio29 FBC standards.~~

~~e. Streets must meet the block length standards of section 20C.8.~~

2. Streets must meet the standards below, in collaboration with the Virginia Department of Transportation (VDOT). Standards vary by street type and character area. Lane width and design will be determined in conjunction with VDOT and Fire Rescue staff, and must comply as closely as feasible with street sections shown in the Rio29 Small Area Plan.

Table 2: Street Standards

	Boulevard	Avenue	Local streets (Core)	Local streets (Flex/Edge)	Through corridor	Pedestrian passages	Alleys
Minimum sidewalk width	8 ft	8 ft	8 ft	6 ft	14 ft (Shared use path standard)	10 ft minimum pedestrian travel way	Not required
Landscaped separation zone	6 ft	6 ft	6 ft	6 ft	8 ft	18 in minimum distance from buildings	Not required
Bicycle lane	5 ft	5 ft	Not required	Not required	Not required	Not required	Not required
Bicycle buffer	3 ft	n/a	n/a	n/a	n/a	n/a	n/a
Landscaped median	6 ft minimum	n/a	n/a	n/a	n/a	n/a	n/a
Parking	n/a	8 ft	8 ft	8 ft (optional)	n/a	n/a	n/a

3. Sidewalk standards generally.

a. *Sidewalk width.* Sidewalks wider than the minimum standards are permitted at the property owner's discretion. Wider sidewalks may accommodate outdoor cafés, other seating associated with ground story uses, or small displays outside of pedestrian entrances, provided that a five-foot wide sidewalk clear zone is maintained.

The five-foot sidewalk clear zone is not applicable to shared use paths (SUP). SUPs must not be obstructed within the minimum required width.

b. *Maintenance of sidewalks.* Property owners must maintain any sidewalk beyond the minimum sidewalk width and any sidewalk used to accommodate outdoor cafés, other seating associated with ground story uses, or small displays outside of pedestrian entrances.

D. *Modifications to street standards.*

1. The Agent may approve modifications to the street standards of this section, provided that the resulting street meets the purpose and intent of this section and provides for continuity with existing or planned streets on adjacent properties.

2. A SUP or two-way cycle track may be provided in lieu of bicycle/pedestrian facilities if it is deemed appropriate by County Transportation Planning staff and VDOT, and the applicant can provide for appropriate transition to adjacent facilities. SUPs must be

designed and constructed in accord with the Albemarle County Design Standards Manual.

3. The bicycle buffer may be reduced in width where a physical barrier is provided and where appropriate transitions are provided to adjacent properties, if deemed appropriate by VDOT and County Transportation Planning staff.

4. Appropriate locations for on-street parking must be determined in collaboration with County Transportation Planning and VDOT staff during project design. On-street parking is required for local streets within the Core, in locations deemed appropriate by Transportation Planning and VDOT staff.

5. The landscaped separation zone may be reduced in width on local streets where street trees are planted within grates or tree wells along sidewalks, provided that (a) the landscape design includes adequate soil volumes below the pavement and (b) a minimum five-foot wide sidewalk clear zone is maintained along the sidewalk.

E. *Street ownership and maintenance.*

1. *Public streets.* All boulevards, avenues, and local streets must be public streets and be dedicated to public use, and acceptable to VDOT.

2. *New Streets.* Property owners or a third party approved by the Agent must construct the new public streets and associated streetscape elements to serve their site as required in this section.

3. *Existing Streets.* Where a development site fronts existing public street(s), the property owner(s) must:

   a. Construct street or intersection improvements required by VDOT to safely accommodate traffic to serve the site;

   b. Construct sidewalks, landscaping, and other streetscape elements along the development site frontage required by this section; and

   c. Reserve land for future dedication along the development site frontage for future street widening to accommodate on-street facilities such as bicycle lanes, bicycle buffers, and/or medians, as required by this section. Land reserved for on-street facilities such as bicycle lanes, bicycle buffers, and/or medians must be dedicated to the County upon demand of the County.

4. *Streetscape elements.* Owners must dedicate to the County all required streetscape elements between their lot lines and the backs of curbs upon the demand of the County. Any streetscape elements that VDOT does not agree to maintain will be owned by the County, unless otherwise specified in this section.

   a. Privately owned and maintained streets.

      i. *Pedestrian passages and alleys.* Pedestrian passages and alleys are optional, to be owned and maintained by the property owner, unless other parties agree to maintain them.

      ii. *Perpetual easement.* The owner must ensure public access to the private street through a perpetual easement. The easement must include any portions of streetscape elements or pedestrian passages that are privately owned and maintained.

5. *Instrument assuring maintenance.* The owner must submit an instrument assuring the perpetual maintenance of the streetscape elements, alleys, and/or pedestrian

passages. The instrument will be subject to review and approval by the County Attorney and must be suitable for recordation in the office of the Circuit Court Clerk of the County.

F. *Streetscape elements.*

1. The following streetscape elements must be provided:

Table 3: Streetscape Elements Standards by Street Type

	Boulevard	Avenue	Local streets (Core)	Local streets (Flex/Edge)
Street lighting	R	R	R	R
Street trees	Refer to section 20C.10.D	Refer to section 20C.10.D	Refer to section 20C.10.D	Refer to section 20C.10.D
Street furniture	At least 1 bench (or 4 seats) every 100 ft	O	At least 1 bench (or 4 seats) every 100 ft	O
Trash & recycling receptacles	1 trash and 1 recycling receptacle every 250 ft and at least 2 corners of each intersection	O	1 trash and 1 recycling receptacle every 250 ft and at least 2 corners of each intersection	O
Street signage	Refer to section 4.15	Refer to section 4.15	Refer to section 4.15	Refer to section 4.15
Pedestrian accommodations	Required at locations deemed appropriate in collaboration with VDOT and County transportation staff, according to Virginia Supplement to the 2009 MUTCD	Required at locations deemed appropriate in collaboration with VDOT and County transportation staff, according to Virginia Supplement to the 2009 MUTCD	Required at locations deemed appropriate in collaboration with VDOT and County transportation staff, according to Virginia Supplement to the 2009 MUTCD	Required at locations deemed appropriate in collaboration with VDOT and County transportation staff, according to Virginia Supplement to the 2009 MUTCD
Enhanced transit stop	R	R	R	R
Green infrastructure / stormwater control measures	O	O	R	O
R = Required; O = Optional				

G. *Modifications to streetscape elements.*

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1. The Agent may grant substitutions or modifications to streetscape standards as listed above, provided that the resulting streetscape meets the purpose and intent of this section and provides for continuity with streetscapes of existing or planned adjacent streets.

2. *Streetscape elements.* The Agent may grant a reduction or modification in the number or frequency of required streetscape elements if VDOT standards or the presence of existing overhead or underground utilities, fire hydrants, curb cuts, or other existing features prevent the compliance with the standards in this section.

3. *Landscaped separation zone.* The Agent may allow an alternative design and reduced width of landscaped separation zones, provided that the landscape design includes adequate soil volumes below the pavement.

H. *Streetscape elements generally.*

1. *How to measure.* Spacing of streetscape elements will be measured on an average distance along the site frontage to meet the requirements of section 20C.7.G. Clustering of streetscape elements is acceptable.

2. Streetscape elements must continue existing spacing patterns established on adjacent developments, if applicable.

3. *Lighting.*

   a. Lighting within the Rio29 FBC District must meet section 4.17.4 standards.

   b. Lighting may be used as an integral design component to enhance architecture, landscaping, and other site design elements.

4. *Street Trees.*

   a. Street trees must be planted within appropriately sized grates or tree wells at grade or in a planting strip abutting the sidewalk and spaced according to the table below.

   b. Street trees must be selected from a current list of recommended large or medium shade trees, subject to the approval of the Agent when site conditions warrant medium shade trees per Table 4 below.

Table 4: Landscaping Requirements by Street Type

	Through corridor	Boulevard	Avenue	Local street
Landscaping requirements	Large shade trees must be at least 3 inches caliper (measured 6 inches above the ground) The maximum average distance between trees must be 50 feet or less per block length.	Large shade trees at least 2½ inches caliper (measured 6 inches above the ground). The maximum average distance between trees must be 50 feet or less per block length.	Large trees at least 2½ inches caliper (measured 6 inches above the ground). The maximum average distance between trees must be 40 feet or less per block length.	Large or medium trees at least 2 inches caliper (measured 6 inches above the ground). The maximum average distance between trees must be 50 feet or less per block length.

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5. *Street furniture.* Street furniture must comply with the following standards.

a. *Benches and seating.*

i. Benches and seating must be made of durable, high-quality materials such as concrete, wood, iron, steel, and fiberglass.

ii. Benches and seating must be provided at the interval provided in section 20C.7.F.

iii. Benches and seating may be clustered if the average number of seats/benches provided is equivalent to the standard in section 20C.7.F.

iv. Fifty percent of clustered public seating or benches must comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG), see ADAAG section 4.32.

v. Benches and seating must be located on or adjacent to a sidewalk. If benches are located on a sidewalk, a five-foot wide sidewalk clear zone must be maintained along the sidewalk. Benches must not be located where they may interfere with street trees, transit stops, or streetlights.

vi. Benches and seating may be integrated as a part of other streetscape elements if their primary function and accessibility is not compromised. This may include but is not limited to seating integrated as a seat wall around trees and landscaping, or seating incorporated as a part of public art.

vii. Temporary or movable seating may be used to meet the standards in section 20C.7.F, to allow seats to meet specific social and microclimate needs. Temporary or movable seating must be maintained by the property owner and remain open to the general public, not just the patrons of an establishment.

b. *Tables.*

i. Tables must be made of durable, high-quality materials such as concrete, wood, iron, steel, and fiberglass.

ii. Any tables and/or chairs placed on a sidewalk must maintain a five-foot sidewalk clear zone.

iii. Temporary or movable tables may also be used to meet the requirements in section 20C.7.F, to allow tables to meet specific social and microclimate needs. Temporary or movable tables must be maintained by the property owner and remain open to the public, not just the patrons of an establishment.

6. *Trash & recycling receptacles.*

a. Trash and recycling receptacles must be made of durable, high quality materials, such as galvanized or stainless steel.

b. Trash and recycling receptacles must be located at the intervals required in section 20C.7.F.

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c. Trash and recycling must be located as near to corner and high activity generators (such as major civic, commercial, and transit destinations) as is practical without interfering with pedestrian, cyclist, transit, and vehicular traffic.

7. *Pedestrian accommodations.*

a. *Marked crosswalks.*

i. Marked crosswalks must be provided at locations deemed appropriate, pursuant to the Virginia Supplement to the 2009 Manual on Uniform Traffic Control Devices (MUTCD) Part 3. Markings.

ii. Marked crosswalks must be provided mid-block and at unsignalized locations deemed appropriate pursuant to the VDOT IIM-TE-384.0 Pedestrian Crossing Accommodations at Unsignalized Locations.

b. *Signals.* Pedestrian signals must be provided at all signalized crosswalks along all boulevards, avenues, and local streets in the Core character area, pursuant to the Virginia Supplement to the 2009 Manual on Uniform Traffic Control Devices (MUTCD) Part 4. Highway Traffic Signals.

8. *Enhanced transit stops.*

a. *Enhanced transit stops generally.*

i. Any required enhanced transit stop must comply with the standards of the local transit authority and the Rio29 FBC.

ii. Each enhanced transit stops must include a shelter and seating in accord with the standards of the local transit authority.

iii. Each enhanced transit stop must be ADA accessible.

b. *Enhanced transit stop locations.*

i. Enhanced transit stops are required in locations currently served or that will be served by Charlottesville Area Transit or other transit providers following completion of project construction.

ii. Site plans for developments larger than two acres are subject to review by the Agent and by local transit authorities to determine transit service needs.

iii. Transit stops must be located along a curb extension allowing transit vehicles to stop and board passengers without leaving the travel lane. Where parking lanes are provided, the stop must be aligned with the parking lane.

iv. Other streetscape elements, such as trash and recycling receptacles, signage, and seating, must not obstruct sidewalks and accessible boarding areas.

c. *Enhanced transit stop design standards.*

i. An ADA accessible boarding area from the transit shelter and adjacent sidewalk must be provided at each transit stop.

ii. Where boarding platforms are not level with the sidewalk, an ADA accessible ramp must be provided from the sidewalk to the platform.

iii. Transit shelters must cover and protect at least one bench or four seats from weather elements.

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iv. Shelters may not block the minimum required widths of sidewalks or shared-use paths.

(§ 18-20C.7, Ord. 21-18(4), 9-1-21)

Sec. 20C.8 Building standards.

A. *Building standards by character area.*

Table 5: Building Standards by Character Area

	Core	Flex	Edge	Through corridor (all character areas)
Building height[1]	Minimum height: 2 stories Maximum height: 5 stories Bonus factors: Up to 7 stories may be permitted when Bonus Categories are provided under section 20C.12 (Affordable Housing Requirement).	Minimum height: 2 stories Maximum height: 4 stories Bonus factors: Up to 5 stories may be permitted when Bonus Categories are provided under section 20C.12 (Affordable Housing Requirement).	Minimum height: 2 stories Maximum height: 3 stories 1 story buildings permitted by special exception	Minimum height: 1 story Maximum height: varies by character area
Ground floor height (measured floor-to-floor)	All buildings must have at least a 15-foot ground floor height.	Not required	Not required	Not required
Block length	200—350 feet Blocks longer than 300 feet must feature at least one mid-block alley or pedestrian passage	200—400 feet Blocks longer than 300 feet must feature at least one mid-block alley or pedestrian passage.	200—500 feet Blocks longer than 300 feet must feature at least one mid-block alley or pedestrian passage.	200—500 feet Blocks longer than 300 feet must feature at least one mid-block alley or pedestrian passage.
Build-to range	0—10 feet	0—10 feet	0—25 feet	0—35 feet
Maximum average distance between ground	60 feet	75 feet	75 feet	n/a

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floor pedestrian entrances				
[1] Building height is measured pursuant to section 3.1.				

B. *Building standards generally.*

1. *Build-to range and street façades.*

a. At least 66 percent of a site's street frontage must be built within the build-to range, with the exception of frontage along through corridors.

b. Ground floor street façades within seven feet of a block corner are exempt from this requirement, to allow for special treatments.

2. *Block length.*

a. No block face may have a length greater than 300 feet without an alley or pedestrian pathway providing through-access to another street, alley, or civic space.

b. Development sites with less than 100 feet of street frontage are exempt from this requirement.

C. *Modifications to building standards.* The Agent may grant modifications to building standards as listed below, provided that the resulting building and site design still meets the purpose and intent of this section.

1. *Reduction of ground floor height.* The Agent may approve a reduction in ground floor height where a temporary false floor or drop ceiling is constructed to allow ground floor residential uses, consistent with section 20C.6, provided that a future conversion to commercial uses could comply with this section.

2. *Block length.* The Agent may approve modifications to required block lengths for the following:

a. To accommodate street connection(s) to existing or planned adjacent street(s);

b. To accommodate a requirement of VDOT or the Department of Fire Rescue;

c. To avoid a natural feature such as a water protection ordinance buffer or preserved slopes;

d. To avoid a planned or existing civic space;

e. To allow future streets to align with existing travel ways, private streets, or parcel lines within or adjacent to the site;

f. To avoid or accommodate existing utilities; or

g. To allow smaller block sizes for drive aisles or counterflow streets along through corridors.

3. *Required build-to range.* Provided the modifications meet the purpose and intent of this section, the Agent may approve modifications to required build-to-range and the requirement to build to two-thirds of the site's street build-to range or both when natural features (such as existing mature trees), terrain, or existing utilities would otherwise interfere with required build-to range.

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4. *Minimum height.* The Board of Supervisors may approve modifications to the required minimum height to allow the reuse of existing one-story buildings that are incorporated within a larger conceptual plan, provided that conditions identified in section 20C.2.D are met.

5. *Incorporation of green building design.* The agent may approve modifications to section 20C.10 to allow the incorporation of green building design.

D. *Stormwater Management.* Each site plan must comply with all applicable requirements of section 32.

Figure 7: Building Height Measurement

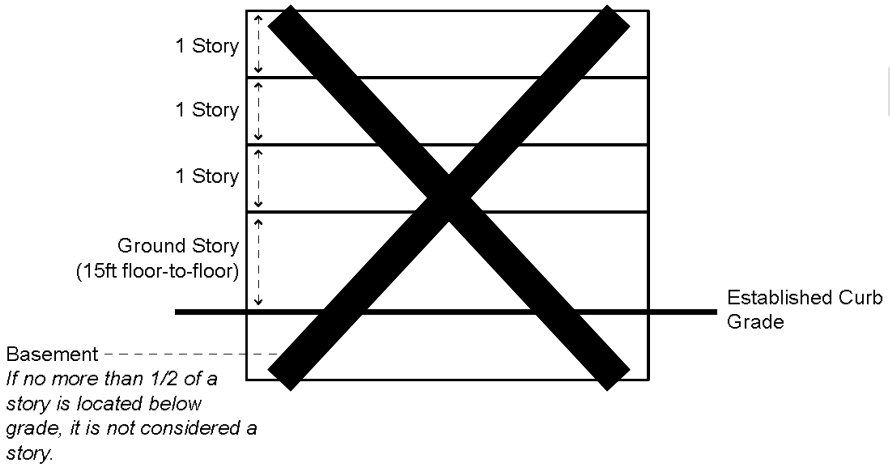


Figure 8: Build-To Range Measurement

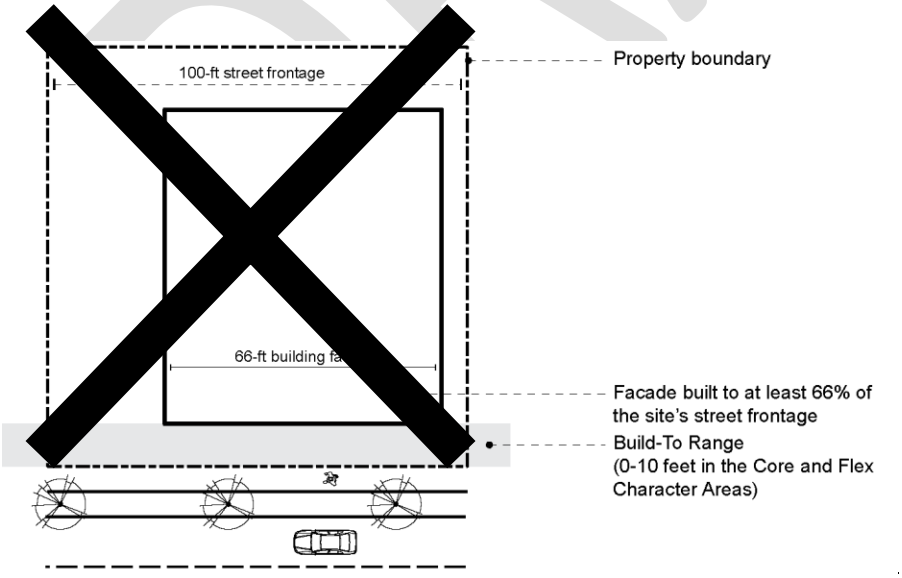
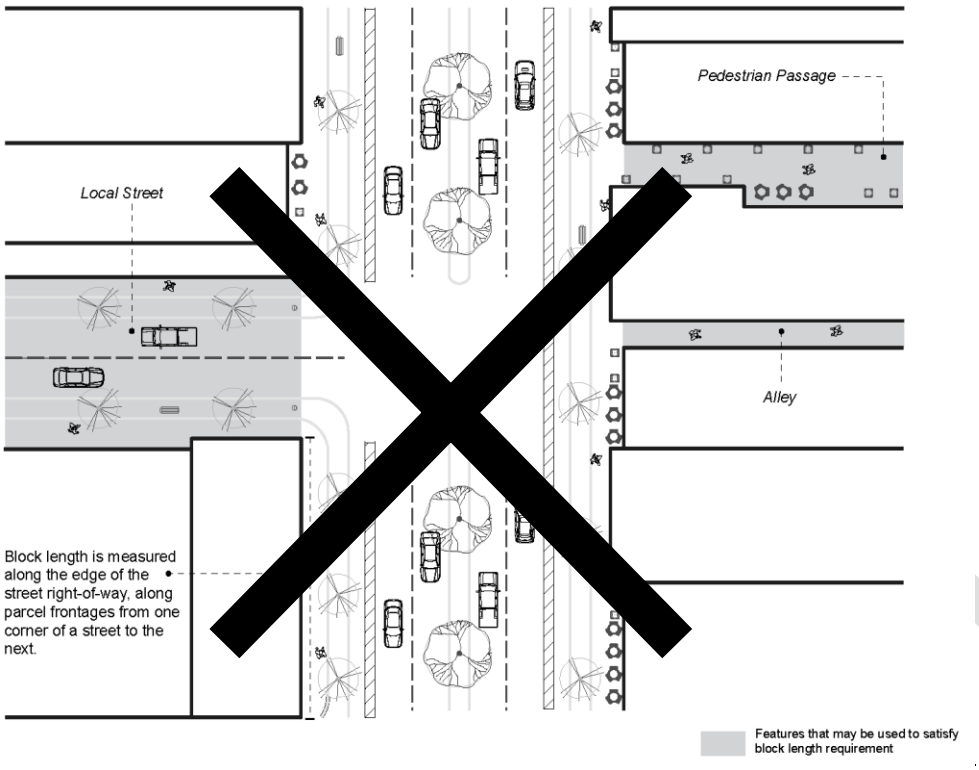


Figure 9: Block-Length Measurement



(§ 18-20C.8, Ord. 21-18(4), 9-1-21)

Sec. 20C.9 Parking standards.

A. *Motor vehicle parking.* The parking, stacking and loading requirements in section 4.12 of this chapter apply to the Rio29 Form-Based Code Overlay District provided that the provisions of sections 4.12.4a, 4.12.5, 4.12.6, 4.12.7, 4.12.13a, 4.12.13c, and 4.12.13e do not apply to developments utilizing the provisions of the Rio29 Form-Based Code Overlay District.

1. *Location and type of motor vehicle parking areas.*

Table 6: Location and Type of Motor Vehicle Parking Areas by Character Area

	Core	Flex	Edge
Permitted parking types	On-street surface parking (parallel or angled)[1] Off-street surface parking (must be located to the rear of buildings) Structured parking	On-street surface parking (parallel or angled)[1] Off-street surface parking (must be located to the rear or side of buildings) Structured parking	On-street surface parking (parallel or angled)[1] Off-street surface parking (must be located to the rear or side of buildings) By special exception: structured parking

Location and setbacks	All off-street parking should be located to the rear or side of buildings. a. Parking minimum setback (primary use): Surface parking must be located at least 10 feet from the right-of-way to allow for adequate screening. Structured parking must be located within the build-to range of the property's designated character area. b. Parking minimum setback (accessory use): Parking must be located no closer to the right-of-way than any existing or proposed primary structure on the lot and at least 10 feet from the right-of-way to allow for adequate screening.		
[1] Parking types must be consistent with the frontage street type (see section 20C.7).			

2. *Required motor vehicle parking spaces.*

Table 7: Required Number of Motor Vehicle Parking Spaces by Use

	Non-residential (excluding hotels and lodging)	Hotels and lodging	Residential (including live/work)
Minimum	1 space per 1,000 square feet of gross floor area.	0.5 spaces per guest room.	1 space per dwelling unit.
Maximum	The aggregate number of private, on-site, surface parking spaces may not exceed 150% of the aggregate parking minimum. There is no maximum for residential developments.		

3. *Parking standards.*

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a. *On-street parking.* On-street parking, including parallel and angled street parking, is exempt from parking setback requirements. Parking along a frontage street or drive aisle parallel to a through corridor may also be exempt from the minimum setback requirement. On-street parking is not permitted on boulevards and is required on local streets in the Core character area.

b. *Parking structure location.* Parking structures are not required to meet the build-to range along a through corridor.

4. *Required motor vehicle parking standards.*

a. The Agent may permit parking to be located off-site or shared if a shared parking agreement is provided and the applicant demonstrates that the off-site parking facility is safely accessible to a pedestrian within a walking distance of one-quarter mile from the offsite facility to the entrance to the establishment. In determining safety and accessibility, the Agent may consider the presence of pedestrian paths such as sidewalks, location of street crossings, and obstacles to a pedestrian's safe passage between the off-site parking facility and the development.

b. On-street parking located on or adjacent to the site may be counted towards the minimum requirement.

5. *Pick-up or drop-off zones.*

a. Uses requiring 20 or more parking spaces must dedicate at least one space per 20 provided spaces as a rideshare, cab, and delivery pick-up or drop-off zone.

b. The pick-up or drop-off zone spaces must be clearly labeled, with maximum loading times of 15 minutes during peak use hours.

c. If on-street surface parking is used to meet the minimum parking spaces requirement, the pick-up or drop-off zone must be on-street surface parking.

d. Uses requiring fewer than 20 parking spaces are exempt from this requirement, unless a shared parking agreement is used to meet this parking requirement.

6. *Modifications to parking standards.*

a. The Agent may grant the following modifications to minimum and maximum required parking spaces, provided that the resulting parking still meets the purpose and intent of this section:

i. An increase in the required maximum parking spaces to allow for the redevelopment of an existing surface parking area that is part of a larger conceptual plan;

ii. An increase in the required maximum parking spaces provided a parking and loading needs study submitted by the owner demonstrates a clear need for additional on-site parking and options for shared parking within one-quarter of mile of the site are not available; or

iii. Reduction(s) in minimum required parking spaces consistent with section 4.12.12.

b. The Agent may grant the following modifications to parking area design requirements:

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i. Reduction in parking space size to accommodate compact vehicles or autonomous vehicles; or

ii. Reduction in access aisle minimum design requirements to accommodate compact or autonomous vehicles.

7. *Minimum landscaping requirements for parking areas.*

a. Large trees measured at 2½ inches caliper (measured six inches above the ground) must align the perimeter of parking areas, located at least every 40 feet. These trees must be evenly spaced, with species selected from the Recommended Plant List.

b. At least one tree must be planted in the interior of parking areas for every ten parking spaces provided.

c. Trees must be evenly distributed throughout the interior of the parking area.

8. *Minimum design requirements for structured motor vehicle parking areas.*

a. The ground story of structured parking must have non-parking uses located between the parking structure and any sidewalk for at least two-thirds of the street façade within the Core character area, except for frontage along through corridors.

b. Structured parking at the perimeter of a building must be screened so that vehicles on all parking levels are substantially screened from adjacent streets and civic spaces. Sloped ramps may not be located along the perimeter of a parking structure.

c. Architectural features or vegetative screens are required to hide parked vehicles and shield lighting that does not meet section 20C.10.E.

d. Parking structure façades are exempt from the transparency requirements in Section 20C.10.B.

e. Parking structure façades must meet the façade articulation requirements in section 20C.10.C.

f. Signage and light sources internal to parking structures must not be visible from outside the structure.

B. *Bicycle parking location and type of bicycle parking facilities.*

1. *Short-term bicycle parking.*

a. Required short-term bicycle parking must be visible from nearby bikeways and located:

i. On the public access level;

ii. Within fifty feet of the main building entrances; or

iii. Outside the building.

b. Required short-term bicycle parking may be located on the sidewalk or within a landscaped separation zone, in accord with this section, provided that a five-foot wide sidewalk clear zone is maintained along the sidewalk.

2. *Long-term bicycle parking.*

a. Long-term bicycle parking must be covered and within:

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i. A locked room or locker;

ii. An area enclosed by a fence with a locked gate;

iii. An area within view of an attendant or security guard or monitored by a security camera; or

iv. An area visible from employee work areas.

b. Required long-term bicycle parking for residential uses may be located within dwelling units or within deck, patio or private storage areas accessory to dwelling units, if approved by the Agent.

c. Long-term bicycle parking spaces for non-residential uses may be located off-site, within 300 feet of the site, upon a determination by the Agent that such an arrangement would better serve the public. The off-site parking distance is measured in walking distance from the nearest point of the remote parking area to the closest primary entrance of the use served.

3. *Minimum required bicycle parking spaces.*

Table 8: Minimum Number of Required Bicycle Parking Spaces by Use

	Non-residential uses	Residential uses
Short-term	1 space per 4,000 square feet of gross floor area	0.1 spaces per bedroom
Long-term	1 space per 10,000 square feet of gross floor area	0.5 spaces per bedroom

4. *Minimum design requirements for bicycle parking facilities.*

a. Bicycle parking facilities must:

i. Provide for storage and locking of bicycles, either in lockers, medium-security racks, or equivalent installation in which both the bicycle frame and the wheels may be locked by the user;

ii. Be designed not to damage bicycles;

iii. Facilitate easy locking without interference from or to adjacent bicycles;

iv. Be anchored so that they cannot be easily removed;

v. Be of solid construction, resistant to rust, corrosion, hammers, and saws;

vi. Be consistent with their environment in color and design; and

vii. Be incorporated whenever possible into building or street furniture design.

b. Bicycle parking areas must:

i. Provide for adequate lighting both within the area and along the route to the building entrance;

ii. Include adequate clearance around racks or lockers to give cyclists room to maneuver, and to prevent conflicts with pedestrians or parked cars;

iii. Be clearly marked as such and separated from auto parking; and

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iv. Be located on a paved or pervious, dust-free surface with a slope no greater than three percent. Parking surfaces may not be gravel, landscaping rock or pebbles, or wood chips.

c. Wall-mounted or similar bicycle racks may not exceed 25 percent of required short-term bicycle parking.

5. *Modifications to bicycle parking regulations.* The Agent may grant modifications to bicycle parking standards provided that the resulting parking still meets the purpose and intent of this section.

C. *Loading.* No loading facilities are required. Where provided, loading facilities must be located to the rear and/or alley side of buildings, and consistent with section 20C.10.F.

(§ 18-20C.9, Ord. 21-18(4), 9-1-21)

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Sec. 20C.10 Architectural design standards.

A. Sites within the Rio29 Form-Based Code Overlay District are eligible for staff-approved County-wide certificate of appropriateness in Section 30.6.4(b). Developments must receive a certificate of appropriateness before a building permit is issued.

B. *Transparency requirements.* The following table outlines the minimum transparency requirements for building façades facing boulevards, avenues, local streets, pedestrian passages, and civic spaces in each character area. Specific standards are outlined for buildings with frontage along through corridors. These requirements do not apply to alleys, rear and interior side yard elevations, structured parking, or buildings facing natural areas, unless specifically stated.

1. *Minimum ground story transparency.* Ground story transparency is measured between two and 12 feet above the abutting sidewalk.

2. *Minimum upper story transparency.* A general minimum transparency requirement is measured from floor to floor of each story above the ground story.

Figure 10: Minimum Transparency Requirements

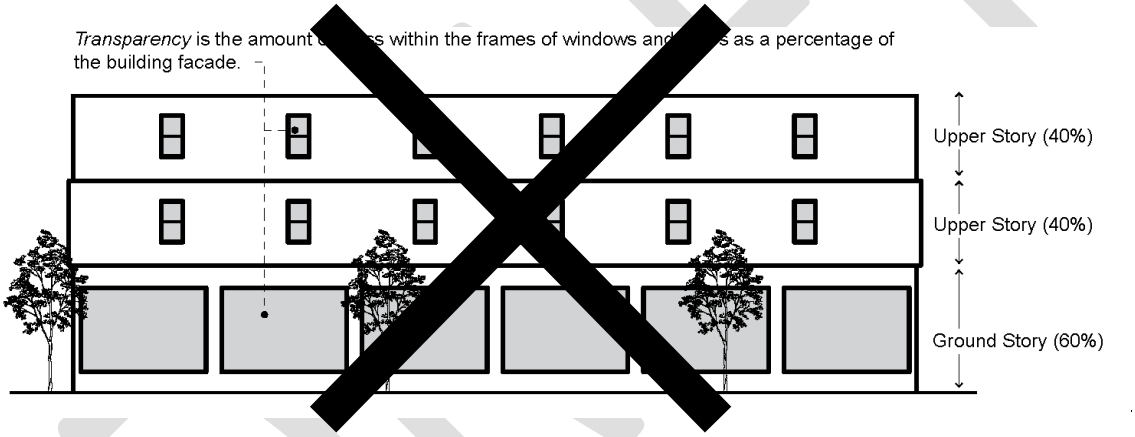


Table 9: Minimum Transparency Requirements

	Core	Flex	Edge	Buildings with frontage along through corridors
Minimum Ground Story Transparency	60%	45%	30%	30%
Minimum Upper Story Transparency	40%	25%	25%	25%

C. *Façade articulation requirements.*

1. *Applicability.* The maximum façade segment length applies to building façades facing through corridors, boulevards, avenues, pedestrian passages, and civic spaces.

2. *Maximum façade segment length.* No building façade segment facing a boulevard, avenue, pedestrian passage, or civic space may exceed double the building height proposed without a physical or visual break in the plane of the façade. Permitted options for articulating a façade are described in subsection 4.

3. *Through corridor façade articulation requirement.* No building façade segment facing a through corridor may exceed four times the building height proposed without a physical or visual break in the plane of the façade. Permitted options for articulating a façade are described in subsection 4.

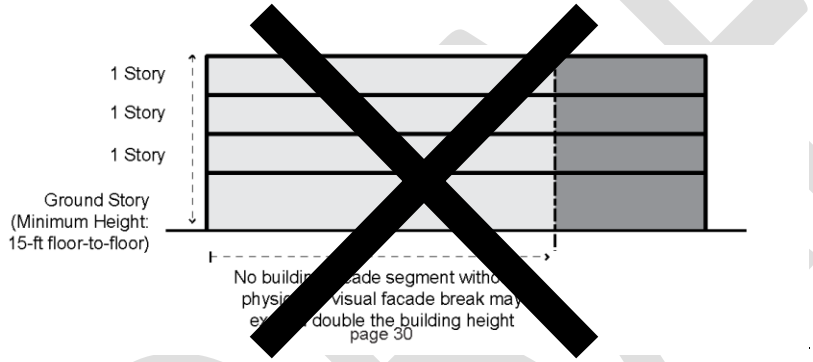
4. Permitted options for articulating a façade include:

   a. Physical breaks in the plane of the façade (such as wall recesses and vertical and horizontal projections);

   b. Visual breaks in the plan of the façade, including material changes, texture changes, and detailing; and

   c. Roofline breaks, balconies, arcades, awnings and canopies.

Figure 11: Maximum Façade Segment Length



D. *Minimum planting requirements.*

1. All trees must be planted parallel to the street in the landscaped separation zone, pursuant to section 20C.7.H.4.

2. All trees and other vegetation species must be from the Recommended Plant List.

3. Each development site must use at least five different species selected from the Recommended Plant List, with no more than 20 percent of one species used.

4. At least one large tree (2½ inches caliper measured six inches above the ground) must be planted in the interior of parking areas for every ten parking spaces provided. These trees must be evenly spaced.

5. No grading, trenching, or tunneling may impact more than 25 percent of the critical root zone (CRZ).

6. Landscape plans must be prepared and sealed by a licensed landscape architect (as defined under Code of Virginia § 54.1-400), a landscape designer certified by the Virginia Society of Landscape Designers, an arborist certified by the International Society of Arboriculture, or a horticulturalist certified by the Virginia Nursery and Landscape Association. This requirement may be waived the Agent.

7. The following note must be included on each project's landscape plan: "All site plantings of trees and shrubs must be allowed to reach, and be maintained at, mature height; the topping of trees is prohibited. Shrubs and trees must be pruned minimally and only to support the overall health of the plant."

E. *Lighting requirements.*

1. *Outdoor luminaires.* Light fixtures must comply with section 4.17.4.

   a. Exterior, outdoor lighting must not exceed 2,000 lumens.

   b. Light levels must not exceed 0.5-foot candles at the ground.

2. *Color and appearance.*

   a. All exterior fixtures must be fitted with lamps with a white light and color temperature between 2,000 and 3,000 Kelvin.

3. *Pole-mounted light fixtures.*

   a. Pole-mounted light fixtures (both the fixture and the pole) must be dark brown, dark bronze, or black.

   b. Freestanding pole-mounted light fixtures (including the base) must not exceed 20 feet in height.

4. *Decorative lighting.* Lighting that is used to enhance architecture, landscaping and other site design elements must comply with the following standards.

   a. Exterior light used for decorative effect must comply with section 4.17.4.

   b. Outdoor light fixtures in the Edge character area must be equipped with automatic timing devices and must remain unlit between 11:00 p.m. and dawn.

   c. Illuminations must not project beyond the architectural, landscaping, or site design elements.

F. *Mechanical, service and loading requirements.*

1. *Applicability.* In addition to the provisions of section 32.7.9.7 the following elements must be screened from view from through corridors, boulevards, avenues, local streets, pedestrian passages, and civic spaces:

   a. Refuse collection, dumpsters, recycling bins, and refuse handling areas that accommodate a dumpster or five or more trash or recycling cans;

   b. Building or ground-mounted mechanical equipment, including (but not limited to): transformers, backflow preventors, telephone risers, equipment cabinets, generators, and similar devices;

   c. Mechanical equipment on roofs;

   d. Air conditioning or similar HVAC equipment;

   e. Loading docks, berths, or similar spaces, including (but not limited to): service entrances and maintenance areas; and

   f. Outdoor storage of materials, equipment, and vehicles.

G. *Permitted and prohibited building façade materials.* Materials are permitted or prohibited for building façades according to the table below.

Table 10: Permitted and Prohibited Building Façade Materials

		Permitted Materials	Prohibited Materials	Allowed in LIMITED amounts
Stone	Natural stone/native stone	X		
	Stone veneer	X		
	Cast stone	X		
	Artificial stone (concrete base)	X		
Brick	Natural brick	X		
	Prefabricated panel brick and tilt-up brick textured paneling		X	
Stucco	Stucco - cementitious or elastomeric finish	X		
Concrete	Concrete finished to an architectural level	X		
	Precast concrete including precast concrete panels	X		
	Concrete block: Decorative concrete masonry unit	X		
	Concrete block with stucco	X		
	Split face block			Allowed only as an accent
Glass	Glass curtain wall system			X
	Glass block			X
	Tinted glass			X
Metal	Aluminum siding		X	
	Metal curtain wall systems, Metal panel systems, Metal panels, individual, including prefinished, and cut, stamped, or cast ornamental	X		Reflective materials are only allowed in small quantities
	Corrugated metal siding and metal siding with an industrial profile			X
	Metal sheets with expressed seams	X		
Wood	Wood siding	X		
	Unfinished or untreated wood siding		X	
	Plywood siding (T1-11)		X	
	Wood clapboard (including high quality manufactured wood)	X		
Tile		X		

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Synthetics/Composites	Fiber cement siding - panels, boards (for example, Hardi plank)	X		
	Foam-based products: cellular PVC trim			Allowed only for architectural details above the 1st floor
	Vinyl siding		X	
	Scored stucco (imitation brick/stone)		X	
Other	Green walls			X

(§ 18-20C.10, Ord. 21-18(4), 9-1-21)

Sec. 20C.11 Civic space standards.

A. *Civic space requirements.*

1. Minimum area and civic space type options.

a. Each development under the Rio29 FBC must devote at least the following minimum percentage of gross acreage to civic space:

Table 11: Civic Space Requirements by Character Area

Character Area	Minimum Percentage of Gross Acreage Dedicated to Civic Space	Civic Space Type Options
Core	10%	Square Plaza Public green Linear park Pocket park Pedestrian street Indoor civic gathering spaces Dedication of civic space shown on Regulating Plan
Flex	15%	Plaza Public green Linear park Pocket park Pedestrian street Natural area Dedication of civic space shown on Regulating Plan
Edge	20%	Plaza Public green Linear park Pocket park Natural area

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		Dedication of civic space shown on Regulating Plan

2. Areas dedicated to stormwater management may contribute to the civic space requirements, provided they meet all civic space design standards and satisfy all required elements.

3. *Ownership and access.* Required civic spaces must:

   a. Be dedicated to the County;

   b. Be properly maintained;

   c. Provide public access at least 12 hours per day;

   d. Be located at the ground level or an upper story that is open and accessible to the general public, and provide clear visual connections to pedestrians on an adjacent public sidewalk; and

   e. Be designated and reserved on site(s) to be determined during site plan approval and approved by the Agent.

4. *Dedication of required civic spaces as shown on Regulating Plan.* The total acreage and boundaries of civic spaces dedicated to the County as shown on the Regulating Plan may be modified in a site plan, provided the modification meets the acreage requirements shown in Table 11. The Agent may permit a modified location provided that such location is equivalent in acreage and type of civic space required.

5. *Cash-in-lieu of civic space.* Cash-in-lieu of civic space(s) may be provided to the County to assist with off-site construction of a required civic space shown on the Regulating Plan, provided:

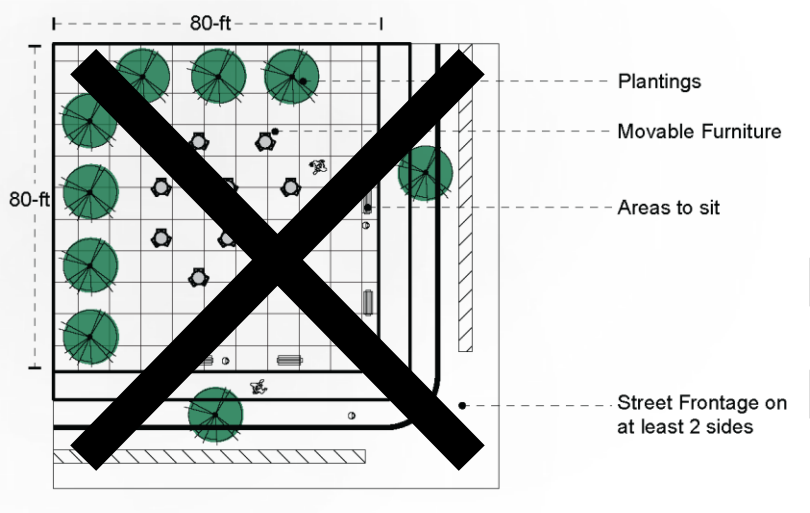
   a. The required civic space shown on the Regulating Plan is located within one-quarter of a mile; and the required on-site civic space is less than 0.2 acres in size; or,

   b. The required on-site civic space is less than 0.2 acres.

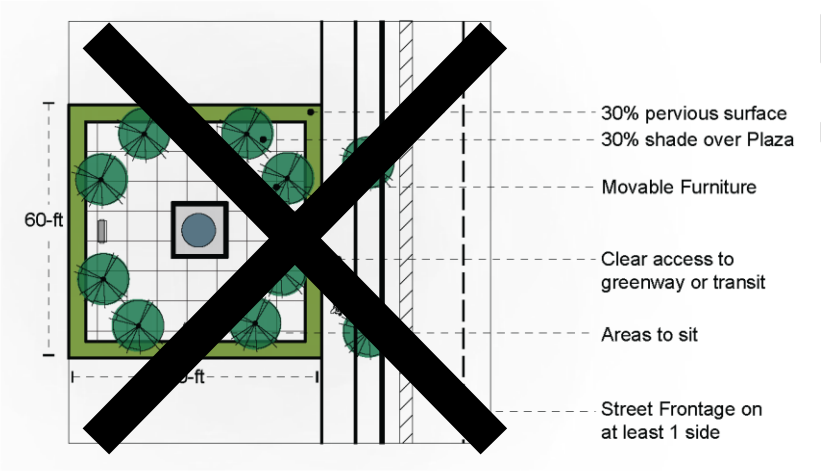
B. *Civic space diagrams.*

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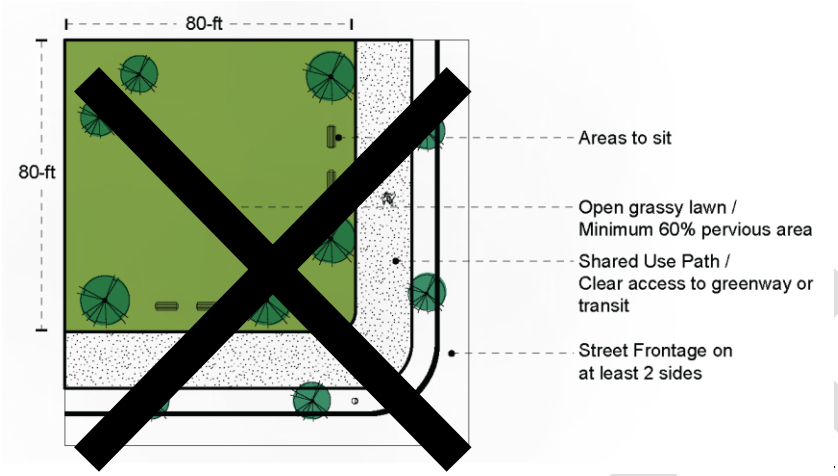
~~**Figure 12: Square Concept Diagram**~~



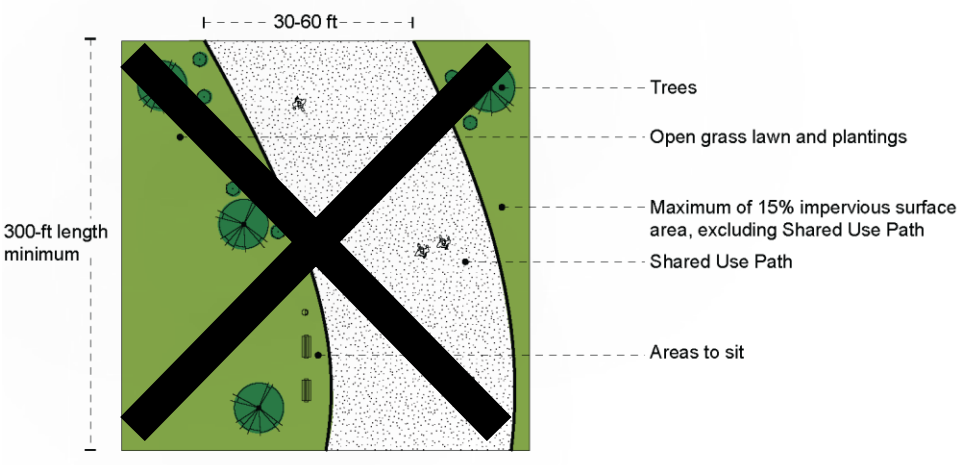
~~**Figure 13: Plaza Concept Diagram**~~



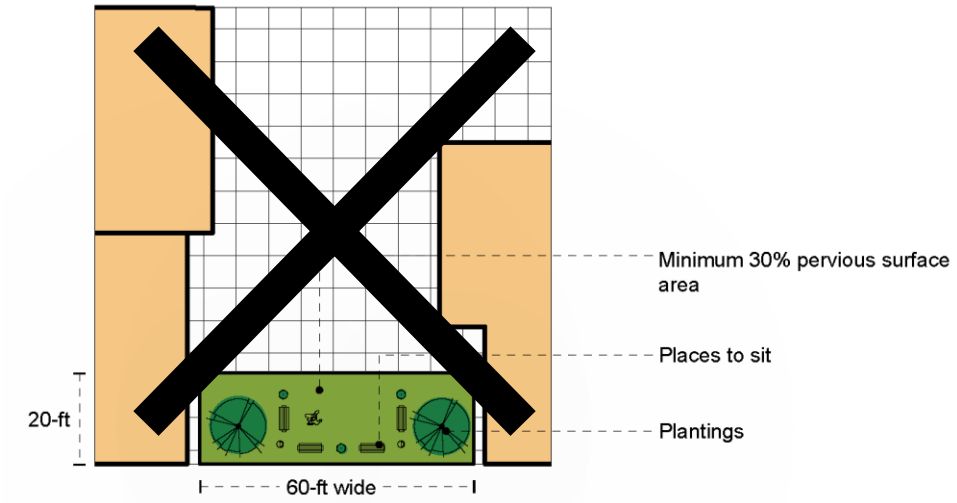
~~**Figure 14: Public Green Concept Diagram**~~



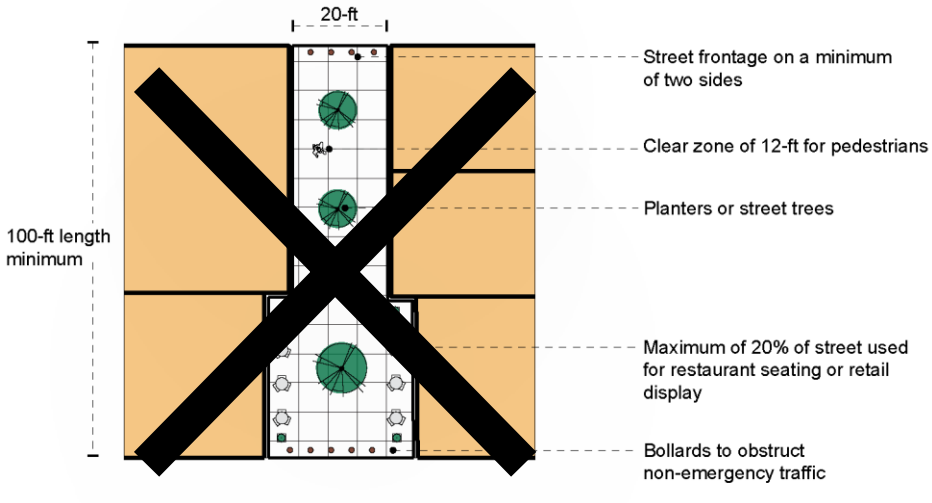
~~**Figure 15: Linear Park Concept Diagram**~~



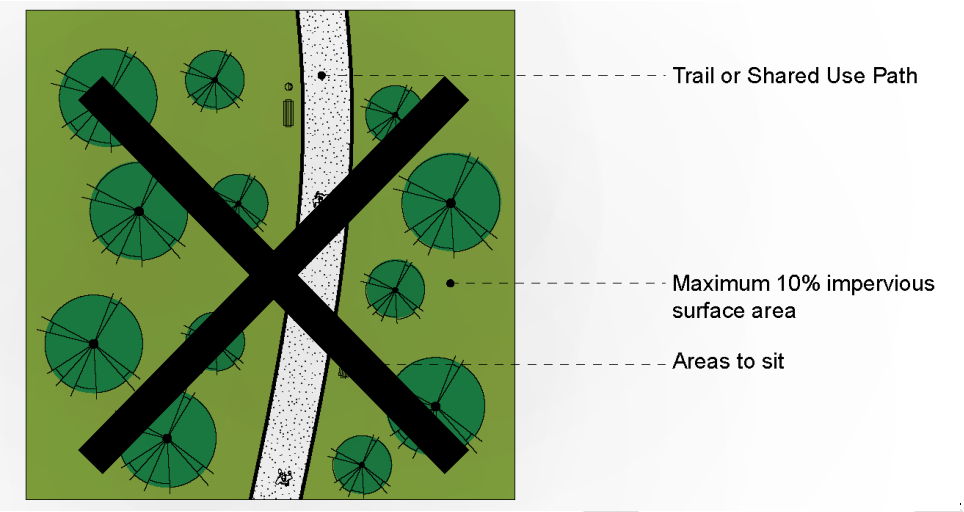
~~Figure 16: Pocket Park Concept Diagram~~



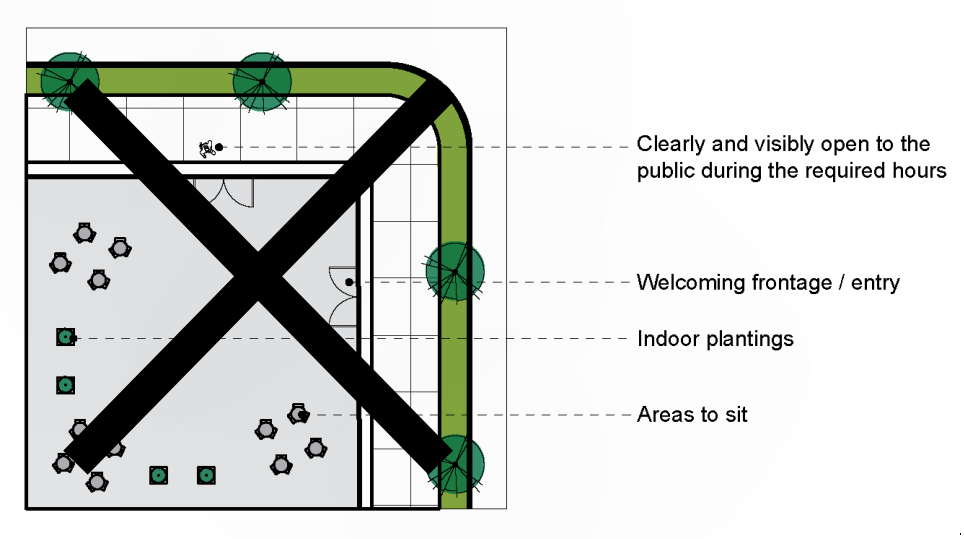
~~Figure 17: Pedestrian Street Concept Diagram~~



~~Figure 18: Natural Area Concept Diagram~~



~~Figure 19: Indoor Civic Gathering Space Concept Diagram~~



~~*C. Civic space design standards.*~~

~~1. Civic spaces must include:~~

~~a. All required elements listed in Table 12; and~~

~~b. At least one Additional Element listed in Table 12 (Civic Space Design Standards), or as approved by the Agent.~~

~~2. All civic spaces developed under the Rio29 FBC must comply with the design standards as listed in Table 12.~~

~~Table 12: Civic Space Design Standards~~

~~Civic Space Type~~	~~Required Elements~~	~~Additional Elements~~	~~Street Frontage Requirement~~	~~Size~~	~~Minimum Dimensions~~	~~Other Design Standards~~
~~Square~~	~~- Gathering places - Plantings - Areas to sit~~	~~- Art installation or a focal element - Movable furniture - Trees - Stalls for vendors, such as food truck parking~~	~~2 sides minimum~~	~~½ block to one block~~	~~80 feet on all sides~~	~~- Permanent seating infrastructure required~~
~~Plaza~~	~~- Gathering places - Art installation or a focal element~~	~~- Areas to sit - Plantings - Trees - Stalls for vendors, such as food truck parking~~	~~1 side minimum~~	~~0.25—2 acres~~	~~60 feet on all sides~~	~~- Minimum 30% pervious surface area, not including pervious paving - Provision of shade over 30% of the plaza, provided permanently or at minimum between June and September. Shade trees may fulfill this requirement - Provides clear access to the greenway network and transit station or future transit station location~~
~~Public Green~~	~~- Open grass lawn for passive or active use - Areas to sit~~	~~- Playgrounds - Plantings - Trees - Gathering places - Stalls for vendors, such as food truck parking~~	~~2 sides minimum~~	~~0.5—5 acres~~	~~80 feet on all sides~~	~~- Minimum 60% pervious surface area, not including pervious paving - Paved pedestrian or Shared Use Paths creating walkways to access the green, which incorporate a coordinated pattern - Provide clear access to~~

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						the greenway network and transit stations or future transit station locations
Linear Park	- Trees - Shared use paths	- Areas to sit - Plantings - Open grass lawn	None	n/a	30—60 foot width 300 foot length	- Maximum of 15% impervious surface area, excluding shared use paths
Pocket park	- Plantings	- Art installation or a focal element - Areas to sit - Playgrounds - Open grass area for passive or active use - Trees - Community gardens	None	0.2—0.5 acre	20 feet width 60 feet length	- Minimum 30% pervious surface area, not including pervious paving - Paving in excess of 30% of the site must be pervious paving
Pedestrian Street	- Places to sit - Bollards or other obstructions to non-emergency traffic - Planters or street trees	- Art installation or a focal element - Provision of shade over 15% of street, provided permanently or at minimum between June and September. Shade trees may fulfill this requirement. - Green infrastructure - Stalls for vendors	2 sides minimum	n/a	20 feet width 100 feet length	- Maximum of 20% of pedestrian street may be used for restaurant seating or retail display and sales - Clear pedestrian movement zone of 12' minimum - Passages through buildings may serve as pedestrian streets, provided they meet all requirements - Pedestrian passages may serve as pedestrian streets, provided they meet all requirements

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~~Natural area~~	~~- Trails or shared use paths (SUP)~~	~~- Community gardens - Areas to sit~~	~~None~~	~~0.5 acres minimum~~	~~n/a~~	~~- Maximum of 10% impervious surface area~~
~~Indoor civic space~~	~~- Areas to sit - Art installation or indoor plantings~~	~~- Playgrounds - Gathering places~~	~~n/a~~	~~n/a~~	~~1,000 sf area~~	~~- Clearly and visibly open to the public during the required hours - A welcoming frontage - Space may be used for public meetings during required public hours, and private meetings or events after the required public hours~~

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D. *Trail Standards.*

1. Shared use paths (SUPs) must meet or exceed the standards of the Albemarle County Design Standards Manual for Class A Type Two low-maintenance multi-use/shared use paths.

2. Trails must meet or exceed the standards of the Albemarle County Design Standards Manual for Class B Type Two high-maintenance pedestrian paths.

3. Trails and SUPs should be coordinated (as to location, width, drainage, and other factors) with other existing or planned trails or SUPs within the general area and must be extended and constructed to abutting property lines. To the extent possible, trails and SUPs should provide connectivity to nearby or adjacent civic spaces.

(§ 18-20C.11, Ord. 21-18(4), 9-1-21)

Sec. 20C.12 Affordable housing requirement.

A. *Affordable housing requirements generally.*

1. Affordable housing in the Rio29 FBC District is governed by the Albemarle County Comprehensive Plan (Chapter 9, Housing), the Housing Albemarle policy (Albemarle County Comprehensive Plan, Appendix 9), and the standards of this section.

2. Affordable housing requirements may be met by provision of owner-occupied affordable housing, rental affordable housing, or a combination of the two, as approved by the Agent.

B. *Affordable housing requirement.* Each development containing five or more residential dwelling units must comply with the Albemarle County Comprehensive Plan (Chapter 9, Housing), the Housing Albemarle policy (Albemarle County Comprehensive Plan, Appendix 9), and the standards of this section.

C. *Anti-displacement and tenant relocation requirements.* The following activities must comply with the Albemarle County Tenant Relocation Guidelines for Non-Federally Funded Residential Developments:

1. Redevelopment or rehabilitation of existing residential units;

2. Conversion of rental housing to non-residential use(s);

3. Demolition for rebuilding a site; and

4. Sale by contract where the contract requires an empty building.

D. *Incentives.* Additional affordable housing units beyond the minimum requirements of the above subsections may qualify for incentives.

1. *Eligibility.* Developments that provide at least five percent more affordable housing units than the required number of such units may qualify for one story of building height in addition to the maximum permitted in the Core and Flex character areas. Units must remain affordable at the AMI levels in the Housing Albemarle policy (Appendix 9) for at least 30 years.

(§ 18-20C.12, Ord. 21-18(4), 9-1-21)

Sec. 20C.1 Establishment and Administration.

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A. **Purpose.** The Rio29 Form-Based Code (FBC) encourages a development pattern consistent with the vision described in Chapter 1 of the Rio29 Small Area Plan.

B. **Intent.** The intent of the Rio29 FBC is to guide the coordinated redevelopment of the existing suburban character into a dense, mixed-use, urban environment where building form, street design, and public spaces work together to create a cohesive and active district. This is achieved through regulations that govern:

- Building design which shapes the district's character and influences the way people experience spaces;
- The relationship between those buildings, sidewalks, streets, and blocks in order to activate the public realm; and
- Accessible recreation spaces to pair development intensity with integrated, usable open spaces.

This code also acknowledges the regional traffic functions of Route 29 and Rio Road and promotes an organized, compact transportation grid that supports safe, comfortable, and connected walking and biking options.

Further, the Rio29 FBC is intended to:

- Establish clear expectations for the desired character of the district for residents, property owners, developers, and the County;
- Facilitate cooperative partnerships between the County and prospective applicants to accomplish the vision of the Rio29 Small Area Plan, encouraging creative designs, flexibility, and alternatives;
- Allow the area to transition over time to meet the vision of the Rio29 Small Area Plan; and
- Strike a balance between regulation to achieve the desired form and flexibility to accommodate market changes, physical constraints, or innovative design ideas.

C. **Agent.**

1. The Director of Community Development is appointed by the Board of Supervisors as the Agent for the purpose of administering the Rio29 FBC except where otherwise specified.
2. The Director of Community Development may establish reasonable administrative procedures necessary for the administration of this Ordinance, including delegation of authority as the Agent.

D. **Creation of the district.**

1. **Designation.** The district is hereby created and designated on the zoning map. The zoning map designates the character area(s) for each property and the locations of required publicly accessible recreation spaces.

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2. **Optional district.** A property may opt in to the Rio29 FBC once the provisions of section 20C.2.A are satisfied, otherwise the rules and regulations of the underlying zoning district apply.

(§18-20C.1, Ord. 26-18( ), 11-18-26)

Sec. 20C.2 Standards and Procedures.

A. **Opting in to the Rio29 FBC.**

1. **Process.** Steps to opt into the Rio29 FBC:
    a. A pre-application meeting pursuant to section 33.4.A is required prior to the submission of a Rio29 FBC site plan;
    b. The applicant must submit the information required by section 20C.2.C; and
    c. Final site plan approval under the Rio29 FBC.
2. **Effect of opting-in to the district.**
    a. Once a final site plan is approved under the Rio29 FBC and for so long as it remains valid, a property is considered opted-in to the Rio29 FBC and must comply with all provisions of the Rio29 FBC. If the final site plan expires, the property is considered opted-out of the Rio29 FBC.
    b. Properties, or portions thereof, that have opted in to the Rio29 FBC may not subsequently develop under the district regulations of the underlying district, except as provided under section 20C.2.F.

B. **Applicability.**

1. **Installation.** Improvements shown on the site plan must be installed by the owner.
2. **Existing structures.** Existing structures may be included in the development plan of a parcel under Rio29 FBC, provided:
    a. The structures meet all applicable requirements of the Rio29 FBC; or
    b. The structures meet all applicable requirements of the Rio29 FBC through modifications or special exceptions.
3. **Phased development.** For development sites totaling 15 acres or more, the Agent may approve phased development that exempts existing structures from the requirements of the Rio29 FBC until redevelopment brings those structures into conformance with the Rio29 FBC.
4. **Other regulations.**
    a. Regulations, requirements, and limitations of the Rio29 FBC are in addition to, or supersede, those of the underlying district and other ordinance provisions of this Chapter.
    b. In the event of a variation or conflict between provisions of the Rio29 FBC and other sections of the Albemarle County Code, the provisions of the Rio29 FBC govern.

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C. **Application Requirements.** In addition to any other requirements of section 32, all site plans must meet the following provisions:

1. The development site must include the entire lot of record as it existed on [date of adoption] and any land added to the lot after [date of adoption].
2. The following note must be provided on the cover sheet: "Parcels developed pursuant to this site plan are opting-in to development under the Rio29 FBC. Following approval of the final site plan, [list subject property's parcel ID(s)] will be subject to the Rio29 FBC."
3. All applications must include a legal plat of record demonstrating compliance with section 20C.2.C.1, and all schematics, plans, calculations, drawings, and other information required by the Agent.

D. **Modifications.**

1. Requests for modifications pursuant to section 20C must be submitted by the applicant concurrent with the site plan review and must specify the requirement to be modified and justification for the requests.
2. Modifications are subject to approval by the Agent.
3. Agent decisions on modifications as set forth in sections 20C.5.E, 20C.6.E, 20C.7.G, 20C.8.D, 20C.9.F, 20C.10.D, 20C.11.E, 20C.12.E may be appealed to the Board of Supervisors within ten days of the date of the Agent's decision, in accordance with the procedures listed below.
    a. A developer may appeal the decision of the Agent to the Board of Supervisors by submitting a written request for appeal to the Agent within ten days after the date of the Agent's decision. In acting on an appeal, the Board shall consider the recommendation of the Agent and all other relevant evidence, and apply the applicable findings provided in section 32.3.5. The Board may approve or deny the request.
    b. Filing an appeal suspends the running of the time by which the Agent must act on a site plan under sections 32.4.2.5 and 32.4.3.6 from the date the appeal is submitted until the date the Board of Supervisors acts on the appeal.

E. **Special Exceptions Process.** The Board of Supervisors may grant a special exception as set forth in section 33.9 and upon a finding that the special exception:

1. Furthers the purpose and intent of the Rio29 FBC, or sections thereof;
2. Furthers the purpose and intent of the zoning ordinance;
3. Is consistent with the zoning map; and
4. Is consistent with the Comprehensive Plan.

F. **Special Exceptions.** The Board of Supervisors may waive or modify the following regulations in accordance with section 20C.2.E:

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1. Properties, or portions thereof, that have opted in to the Rio29 FBC may not subsequently develop under the district regulations of the underlying district, per Section 20C.2.A.2.b.
2. Phased development that exempts existing structures from the requirements of the Rio29 FBC may only be approved on development sites totaling 15 acres or more, per Section 20C.2.B.3.
3. The development site must include the entire lot of record as it existed on [date of adoption] and any land added to the lot after [date of adoption], per Section 20C.2.C.1.
4. The regulations identified under sections 20C.5.F, 20.C.6.F, 20C.8.E, 20C.10.E, and 20C.12.F.

(§18-20C.2, Ord. 26-18(_), 11-18-26)

Sec. 20C.3 Definitions.

The following definitions apply only for purposes of the Rio29 FBC.

Access aisle. “Access aisle” means a motor vehicular connection provided through a surface parking area. These are typically associated with residential and business complexes consisting of multiple buildings.

ACPR. “ACPR” means Albemarle County Parks and Recreation Department, or as designated in the future.

Alley. "Alley" means a narrow, one-lane road providing access to parking, utilities, loading areas and/or for the purpose of deliveries and waste collection for adjacent buildings.

Articulation of a façade. "Articulation of a façade" (or "façade articulation") means changes in the depth of the surface of a building face including but not limited to attached columns, recessed windows or window bays, horizontal banding, or decorative cornices. Articulation helps reduce the impact of building mass, establishes human scale, and adds texture to the building surface.

Artisan manufacturing. "Artisan manufacturing" means the production of individually crafted tangible goods including but not limited to artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, baked or prepared food and drink, watercraft, and similar items. Artisan manufacturing does not include mass production.

Block. "Block" means an increment of land circumscribed and not traversed by streets. Block length is measured along the edge of a street right-of-way. The measurement is taken along parcel frontages from one corner of a street right-of-way to the next. See Figure 1 in section 20C.5.C.

Build-to range. "Build-to range" means the minimum and maximum distance between the building façade and the edge of the primary street(s) right-of-way or outdoor recreation space, exclusive of covered porches, balconies, chimneys, eaves, or other architectural projections.

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Cultural amenity space. "Cultural amenity space" means a museum, art gallery, or other facility promoting art and culture, that is open to the public on a regular basis.

Decorative lighting. “Decorative lighting” means lighting used to enhance architecture, landscaping, and other site design elements. Pole-mounted light fixtures and lighting for safety or security are not considered decorative lighting.

Development site. "Development site" means property to be developed pursuant to the Rio29 FBC.

Enhanced transit stop. “Enhanced transit stop” means an ADA compliant transit stop with covered seating, protected from weather elements, for at least one bench or four seats, in compliance with local public transit standards.

Façade segment length. "Façade segment length" means the length of a building façade without horizontal or vertical plane articulation.

Fenestration. “Fenestration” means openings or transparent elements in a building façade.

FES. “FES” means Albemarle County Facilities and Environmental Services Department, or as designated in the future.

Forest vegetation. “Forest vegetation” means an assortment of locally native plant species characteristic of local forest ecosystems, consisting of vegetation including canopy trees, understory trees, shrubs, and ground-level herbaceous plants, retained and/or planted at the density defined in section 3.1 for wooded area.

Hardscape. “Hardscape” means the nonliving components of a streetscape or landscape design, such as pervious or impervious paved walkways, walls, sculpture, patios, stone and gravel areas, benches, fountains, and similar hard-surface areas and objects.

Horizontal luminance. “Horizontal luminance” means the amount of light that falls on a horizontal plane, measured in footcandles.

Indoor gathering space. "Indoor gathering space" means accessible indoor space designed for meetings, sitting, relaxing, recreation, education or other similar activity. Building spaces that are open to the sky can be considered indoor gathering spaces.

Institutional uses. "Institutional uses" means public or private health, or educational uses and facilities such as schools, training centers, universities, hospitals, assisted living facilities, skilled nursing facilities, children's residential facilities, or similar facilities and charitable uses.

Landscaped separation zone. "Landscaped separation zone" means the area located between the paved travelway and the sidewalk or shared-use path (SUP), typically containing trees and/or other landscaping.

Light industrial uses. "Light industrial uses" means processing, fabricating, assembly, or disassembly of items and may involve the use of tools or machinery.

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Linear park. "Linear park" means a long park within an urban area that features a shared-use path (SUP) designed to accommodate multi-modal connections and recreational functions including but not limited to walking, running, cycling, sitting, relaxing, and outdoor games.

Mixed-use dwelling. "Mixed-use dwelling" means a dwelling unit that consists of both a residential and non-residential use.

Natural area. "Natural area" means a vegetated outdoor recreation space with little to no impervious surface, that accommodates wildlife habitats and undisturbed vegetation, having adequate separation from human interaction.

Neighborhood services. “Neighborhood services” means uses that support the daily health, safety, welfare, and resiliency of surrounding neighborhoods and residents. Examples of neighborhood services include grocery stores, doctor’s offices, veterinary services, post offices, libraries, and other civic institutions, dry cleaning, and sit-down restaurants.

Open green. "Open green" means a large outdoor recreation space including a grassy field designed to accommodate recreational functions including but not limited to field sports, relaxing, sitting, strolling, casual gatherings, or organized events.

Parking lot area. For the purposes of section 20C.11.C.3, “parking lot area” means all off-street parking spaces and travel aisles adjacent to parking spaces.

Pedestrian passages. "Pedestrian passage" means a pedestrian-only travelway designed to convey local pedestrian traffic safely and conveniently. Pedestrian passages are typically open to the sky but may be covered by canopies or similar weather protection, or located within a building.

Plaza. "Plaza" means an outdoor recreation space typically surrounded by buildings or roads and primarily constructed with a hard ground surface material designed to accommodate a variety of functions including but not limited to farmers' markets, outdoor games, food truck sales, concerts, social gatherings, organized events, gatherings, outdoor learning spaces, pop-up businesses, and passive recreation.

Pocket park. "Pocket park" means a landscaped park providing space for residents and employees of nearby developments to relax, sit, play, or gather.

Pollinator garden. “Pollinator garden” is a landscaped area designed, managed, and maintained to attract and support pollinators. Pollinator gardens are primarily comprised of locally native plants and may contain naturalized plants.

Primary street frontage. “Primary street frontage” means the edge of the property along the highest-ranking street(s) abutting the property.

Public art. "Public art" means the display of creative works for the enjoyment of the general public, including but not limited to paintings, sculptures, stained glass, statues, bas reliefs, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, tapestries, photographs, drawings, monuments, and fountains. The following items are not considered public art for purposes of this code: reproductions or unlimited copies of original artwork; mass-produced art

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objects; the overall architectural design of a building; architectural rehabilitation or historic preservation; and logos or interpretations of logos.

Recreation space. “Recreation space” means an indoor or outdoor area intended for passive or active recreational use, for the purposes of the Rio29 Form-Based Code. A publicly accessible recreation space qualifies as a park as set forth in Chapter 11 of the Albemarle County Code.

Service Street. “Service Street” means a narrow street designed to support pedestrian connectivity and/or access to adjacent structures for the purpose of service functions.

Shared parking. “Shared parking” means parking spaces that are shared among two or more uses.

Solar reflectance, initial. “Initial solar reflectance” means a solar reflectance that is measured prior to aging.

Solar reflectance, aged. “Aged solar reflectance” means a solar reflectance that is measured after laboratory or natural aging.

Solar reflectance index. “Solar reflectance index” means a measure of the constructed surface’s ability to stay cool in the sun by reflecting solar radiation and emitting thermal radiation. A standard black surface has an initial SRI of 0, and a standard white surface has an initial SRI of 100.

Street furniture. "Street furniture" means benches, seating, tables, and trash and recycling receptacles that are available for public use along the street frontage.

Streetscape. “Streetscape” means the elements within and along a street that define its appearance, identity, and functionality, including street furniture, landscaping, sidewalks, and pavement treatments.

Surface parking. “Surface parking” means off-street vehicular parking located in an open area at the ground level. On-street parking, podium parking, and parking garages are not considered surface parking.

Temporary sidewalk sign. “Temporary sidewalk sign” means a portable, self-supporting sign made of a durable material and located on the sidewalk.

Transparency. “Transparency” is the characteristic of a material that allows objects beyond it to be seen clearly.

(§18-20C.3, Ord. 26-18(_), 11-18-26)

Sec. 20C.4 Character Areas.

Establishment of character areas. The Rio29 FBC overlay district consists of three character areas: Core, Flex and Edge. These designations establish a coordinated pattern and intensity of development within the district. Common to all three character areas is the provision of an integrated pedestrian and bicycle network comprised of safe, convenient, and comfortable

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connections. Connections to Core areas, publicly accessible recreation spaces, and regional bicycle paths are the highest priority.

A. **Core.** Core character areas are destination areas within the Rio 29 FBC overlay district. They are anchored by Destination Streets that serve as the vibrant focal points for social and commercial activity. Core areas accommodate the highest intensity and most urban forms of development. Buildings promote an active street life through clustered ground-floor commercial/retail uses, extensive building fenestration, and an enhanced public realm that encourages pedestrians to stay and visit multiple businesses.
B. **Flex.** Flex character areas accommodate a range of building forms to transition from higher intensity urban development in the Core to the lower intensity development along the Edge. Dense residential developments are supported and balanced by high-quality public and private recreation spaces.
C. **Edge.** Edge character areas provide a transition from the Flex area to adjacent residential neighborhoods outside the district through lower-intensity development designed to minimize impacts. Buildings have lower heights, smaller forms, and include a mixture of uses with an emphasis on neighborhood services.

(§18-20C.4, Ord. 26-18( ), 11-18-26)

Sec. 20C.5 Streets.

A. **Purpose.**

The Rio29 FBC overlay district features a street network designed to accommodate a variety of transportation modes, including pedestrian, bicycle, transit, and vehicular, while creating enhanced connectivity through an urban street grid and block structure. Streets linking residential areas with commercial and social destinations receive special design attention to ensure safe, convenient, and attractive access for pedestrians and cyclists. While most street designs balance the needs of all transportation modes, Destination Streets specifically prioritize walkability and pedestrian comfort, with vehicular accommodation as a secondary consideration.

B. **Applicability.**

1. **Streets.** Each development must contribute to an interconnected street grid through the development of streets consistent with this section.
2. **New streets.** All new public or private streets, including Service Streets, must meet the intent and standards required in this section.
3. **Street frontage less than 100 feet.** Development sites with less than 100 feet of street frontage are exempt from meeting block length requirements.

C. **Street grid**

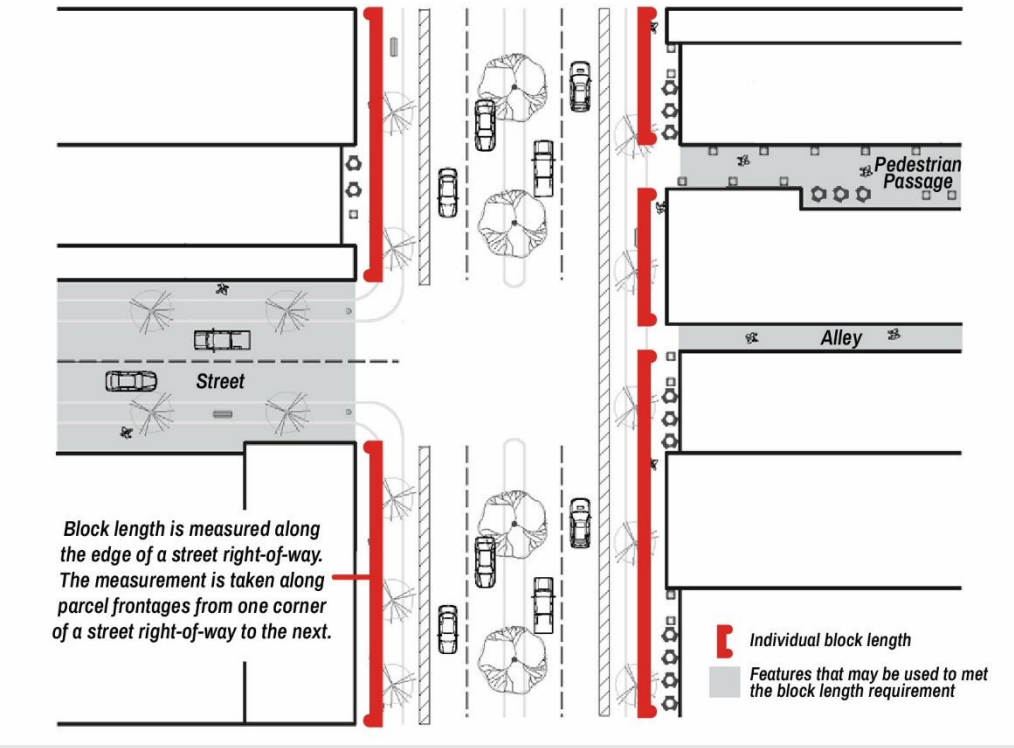
1. **Street Grid.**
    a. Development must support and implement a gridded street network.

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b. The layout of proposed streets must be determined in collaboration with the Agent and VDOT prior to site plan approval.

2. **Block lengths.**
   a. Block lengths cannot exceed 400 feet within the Core and Flex character areas, except as provided under section 20C.5.E.1.
   b. Publicly accessible outdoor recreation spaces, pedestrian passages, and alleys that support connections between streets can be used to meet the block length requirement.

Figure 1: Block Length Measurement



3. **Street connectivity.** Streets, sidewalks, and other pedestrian ways are subject to section 32.7.2.

D. **General provisions.**

1. **Conformance with street typologies.**
   a. The street typology for each proposed or existing street must be identified pursuant to Table 1 and determined in collaboration with the Agent and VDOT prior to site plan approval.
   b. Each street and street frontage must be developed according to the assigned street typology.

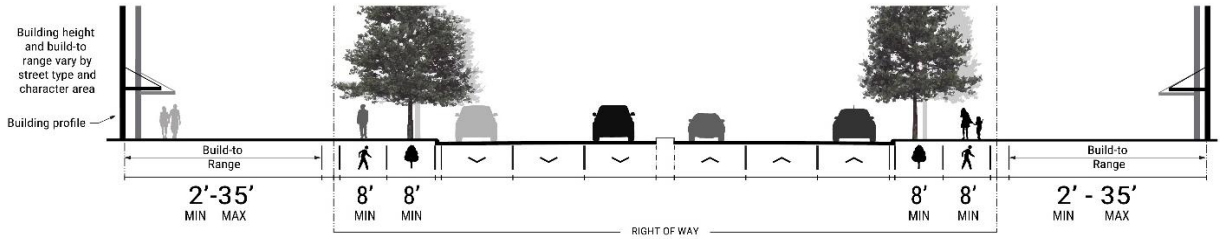
Table 1: Design standards by street typology

Through Corridor

Intent: Through Corridors are high-capacity streets designed to facilitate efficient vehicular movement. They usually feature multiple lanes of traffic in each direction, often divided by a median, and higher speed limits (40 mph or more). Wider landscaped separation zones support pedestrian safety and comfort along this street type.

Existing street designations: Route 29

Illustrative cross-section



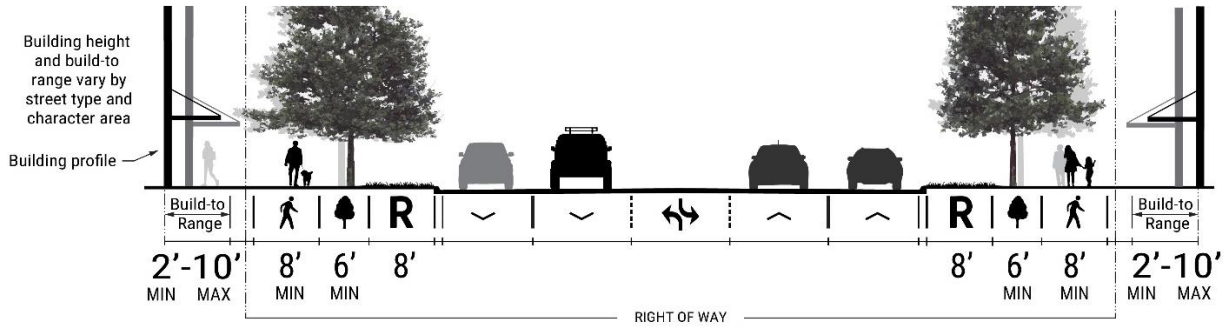
Required street features	
Landscaped separation zone	8ft
Minimum sidewalk width	8ft
Pedestrian lighting	Refer to section 20C.11
Street trees	Refer to section 20C.11
Transit stops	Enhanced transit stops as required by VDOT and/or the Agent

Boulevard

Intent: Boulevards are wide streets designed to facilitate high volumes of motor vehicle traffic, typically featuring multiple lanes of traffic in each direction separated by a center turn lane or median. More consideration may be given to the design of building fronts and pedestrian realms along these streets than Through Corridors. As important connections within the district with typical speed limits of 35-40mph, Boulevard streets should accommodate bicycle travel through off-road facilities to ensure rider safety. However, as no continuous bicycle facilities currently exist along this street type, the cross-section reserves an 8-foot-wide area for their future development.

Existing street designations: Rio Road

Illustrative cross-section



Required street features	
(R) Reservation for future bike lane between the curb and landscaped separation zone	8ft
Landscaped separation zone	6ft
Minimum sidewalk width	8ft
Pedestrian lighting	Refer to section 20C.11
Street trees	Refer to section 20C.11

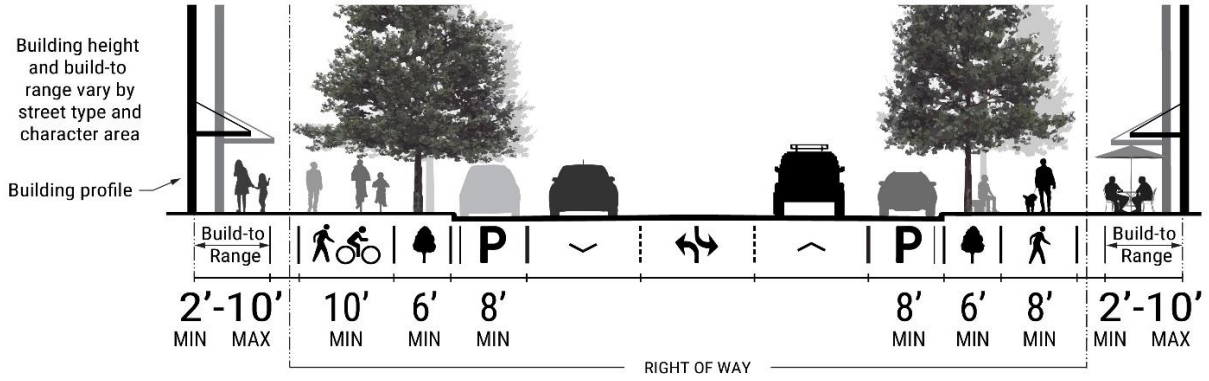
Pedestrian crosswalks and signals	As required by VDOT and the Agent
Transit stops	Enhanced transit stops as required by VDOT and/or the Agent

Avenue

Intent: Avenues are wider than Local Streets but narrower than Boulevards. Typically featuring one to two lanes of traffic in each direction with moderate speed limits (25-35mph), they often intersect Boulevards perpendicularly. Avenues link residential areas to activity centers and provide essential connections in the district's bicycle network.

Existing street designations: Berkmar Drive and Hillsdale Drive

Illustrative cross-section



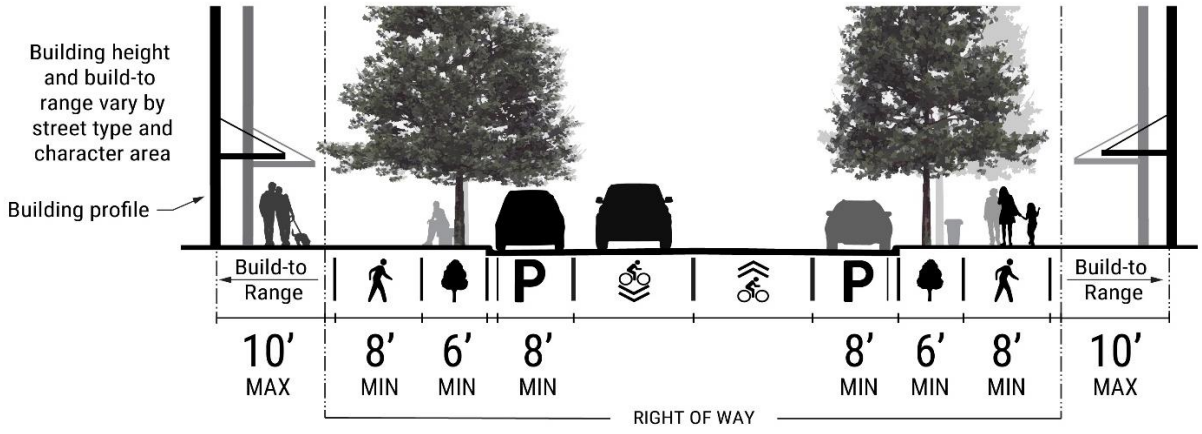
Required street features	
On-street parking	8ft (optional)
Landscaped separation zone	6ft
Shared-use path (SUP) as required by the Agent	10ft
Minimum sidewalk width	8ft; Sidewalks are not required when a SUP is provided.
Pedestrian lighting	Refer to section 20C.11
Street trees	Refer to section 20C.11
Street furniture	None along SUPs. Along sidewalks: i. At least 1 bench (or 4 seats) every 400ft with no less than 1 per block ii. 1 trash and 1 recycling receptacle on each block
Pedestrian crosswalks and signals	As required by VDOT and the Agent
Transit stops	Enhanced transit stops as required by VDOT and/or the Agent

Destination Street

Intent: Destination Streets are lively activity centers where people come to spend time and engage in multiple activities, supporting nearby businesses and creating social and economic hubs. Their design prioritizes pedestrians through wider sidewalks, streetscape furniture, visually engaging building frontages, and other designs that create a welcoming pedestrian experience. These streets may accommodate vehicle traffic, typically at low vehicle speeds and with on-street parking.

Illustrative cross-section

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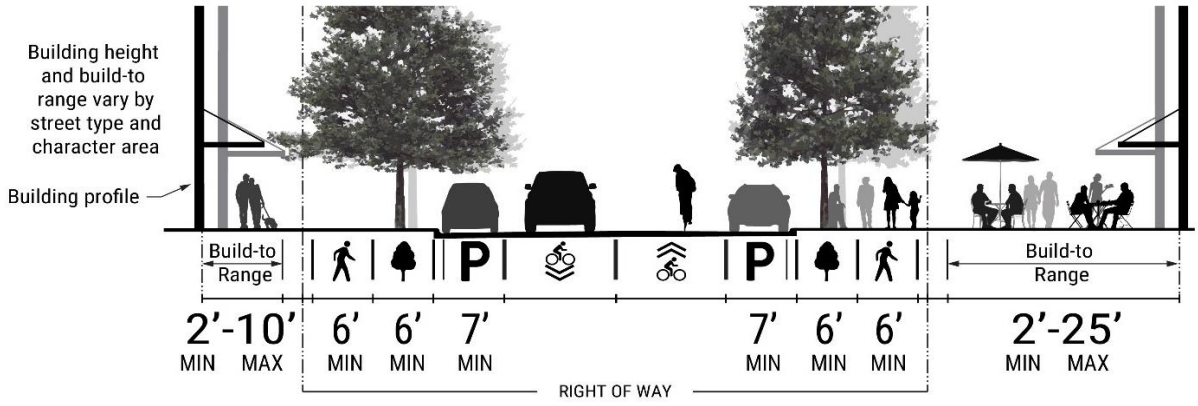


Required street features	
On-street parking	8ft (optional)
Landscaped separation zone	6ft
Minimum sidewalk width	8ft
Pedestrian lighting	Refer to section 20C.11
Street trees	Refer to section 20C.11
Street furniture	i. At least 1 bench (or 4 seats) every 200ft with no less than 1 per block ii. 1 trash and 1 recycling receptacle every 200ft and at least 2 corners of each intersection
Pedestrian crosswalks and signals	As required by VDOT and the Agent

Local Street

Intent: Local Streets function as supportive streets within the transportation network. With narrower cross-sections, lower speed limits (typically 20-30mph), and lower traffic volumes than Boulevards and Avenues, these streets form the foundation of the district's street grid. They provide the final links between higher-capacity thoroughfares and individual destinations. Local Streets are designed to foster a safe, neighborhood-oriented atmosphere and can incorporate design features and traffic calming measures, such as curb cuts and strategic on-street parking, to enhance the pedestrian experience.

Illustrative cross-section



Required street features	
On-street parking	7ft (optional)

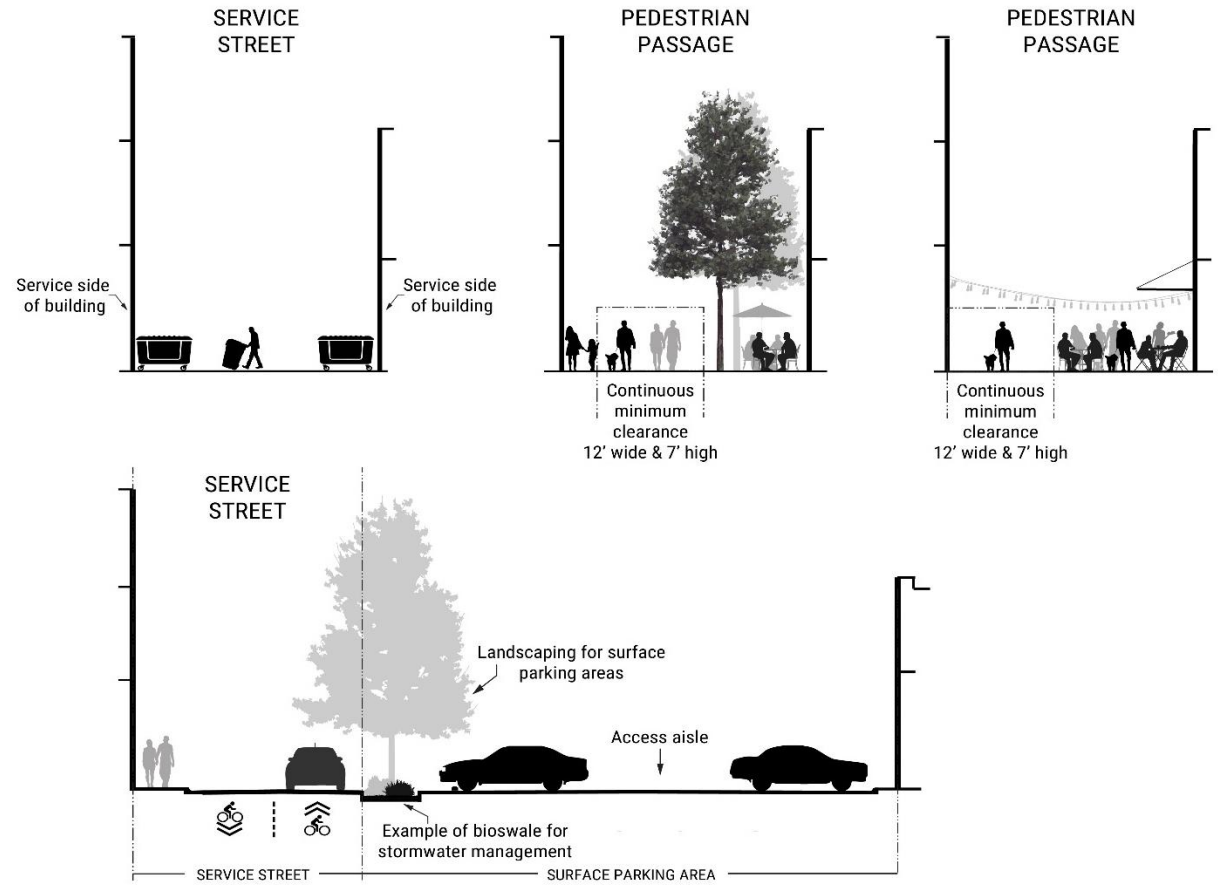
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Landscaped separation zone	6ft
Minimum sidewalk width	6ft
Pedestrian lighting	Refer to section 20C.11
Street trees	Refer to section 20C.11
Pedestrian crosswalks and signals	As required by VDOT and the Agent
Transit stops	Enhanced transit stops as required by VDOT and/or the Agent

Service Street

Intent: Service Streets, including pedestrian passages and alleys, function as tertiary streets. Service Streets reinforce a connected street grid for pedestrians and cyclists, but do not support vehicular through traffic.

Illustrative cross-sections



No required street features

2. **Destination Streets.**
   a. Development within a Core character area must include a Destination Street unless a Destination Street already exists.
   b. Destination Streets must be at least 1,200 feet in length, measured along the street centerline. The minimum length may be divided amongst multiple adjoining streets and parcels.

c. A combined total of at least 60 percent of street level block lengths along both sides of Destination Streets must be occupied by non-residential uses other than parking. Publicly accessible recreation spaces do not count towards the total sum of block lengths.
d. Destination Streets may only be located in Core character areas.
e. A Destination Street cannot cross Boulevards or Through Corridors.

3. **Vehicular travelways.** Lane width and design must be determined in conjunction with VDOT and the Department of Fire Rescue.
4. **On-street parking.** Locations for on-street parking must be determined in collaboration with the Agent and VDOT.
5. **Sidewalk standards.**
    a. Sidewalks must have a continuous minimum clearance at least six feet wide and seven feet high that is free of all obstructions, including but not limited to signage, seating, tree limbs, tree grates or uncovered wells, light poles, or similar features.
    b. Sidewalks are not required when a shared-use path (SUP) is provided.
6. **Shared-use path (SUPs) standards.**
    a. SUPs must have a continuous minimum clearance at least ten feet wide and seven feet high that is free of all obstructions, including but not limited to signage, seating, tree limbs, tree grates or uncovered wells, light poles, or similar features.
    b. SUPs must meet or exceed the standards of the Albemarle County Design Standards Manual for Class A Type Two low-maintenance multi-use/SUPs.
    c. Location, width, drainage, and other design factors of SUPs must be coordinated with and connected to existing or planned SUPs, trails, sidewalks, and publicly accessible outdoor recreation spaces within the general area.
    d. SUPs must be extended and constructed to abutting property lines.
7. **Street furniture standards.**
    a. **Benches and seating.**
        i. Benches and seating must be made of durable, high-quality materials such as concrete, wood, iron, steel, and fiberglass.
        ii. Benches and seating must be located on or adjacent to a sidewalk or SUP.
        iii. Benches and seating may be integrated as a part of other streetscape features if their primary function and accessibility is not compromised.
    b. **Trash & recycling receptacles.**
        i. Trash and recycling receptacles must be made of durable, high-quality materials, such as galvanized or stainless steel.
        ii. Trash and recycling receptacles must include adequate covers to protect from weather events and animals.

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iii. Trash and recycling receptacles must be located at corners and high activity generators (such as major civic, commercial, and transit destinations) whenever possible without interfering with pedestrian, cyclist, transit, and vehicular traffic.

8. **Pedestrian crosswalks and signals.**
    a. **Marked crosswalks.** Marked crosswalks must be located at signalized intersections, mid-block crossings, and unsignalized locations deemed appropriate by the Agent, pursuant to VDOT design standards.
9. **Enhanced transit stops.**
    a. **Locations.**
        i. Enhanced transit stops are required in locations currently served or that will be served by Charlottesville Area Transit or other publicly-funded transit providers.
        ii. Other streetscape features, such as trash and recycling receptacles, signage, and seating, must not obstruct accessible boarding areas.
10. **Ownership and maintenance.**
    a. All new streets, other than Service Streets, must be public streets, unless approved as private, under section 20C.5.E.2.a.
    b. Required street features located along public streets must be dedicated to public use upon demand of the Agent.
    c. If a public access easement is provided in a document approved by the County Attorney, such features may be located on private property.
    d. Private streets and required street features must provide public access through a perpetual easement in a document approved by the County Attorney.
    e. The owner must submit an instrument assuring perpetual maintenance of required street features along any public or private street that VDOT or Albemarle County does not agree to maintain. The instrument will be subject to review and approval by the County Attorney and must be recorded in the office of the Circuit Court Clerk's Office.

E. **Modifications.**

1. **Block lengths.** The Agent may approve modifications to required block lengths for the following:
    a. To accommodate street connection(s) to existing or planned adjacent street(s);
    b. To accommodate a requirement of VDOT or the Department of Fire Rescue;
    c. To avoid a natural feature such as a riparian buffer or preserved slopes;
    d. To avoid or accommodate a planned or existing recreation space;
    e. To allow future streets to align with existing travelways or parcel lines within or adjacent to the site;
    f. To avoid or accommodate existing utilities; or

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g. To accommodate the space needed for an efficient parking structure.

2. **Street design standards.**
   a. The Agent may approve private ownership of a street if:
      i. The roadway design qualifies as an Urban Local Street (GS-8) in the VDOT Road Design Manual; or
      ii. The street is not determined to be a necessary connection in the public street grid by the Agent or VDOT.
   b. Required landscaped separation zones on Destination Streets and Local Streets may be reduced in width to no less than four feet provided that the landscape design includes adequate soil volumes below the pavement to support street trees, pursuant to section 20C.11. Tree wells, or similar features, must include root barriers, soil cells, or similar technology to ensure the success of plantings and avoid upheaval of nearby hardscapes.
   c. The Agent may grant a modification for required street features if VDOT standards or the presence of existing overhead or underground utilities, fire hydrants, curb cuts, or other features prevent compliance with the standards in this section. Required sidewalk widths may in no case be reduced to less than four feet.
   d. The Agent may modify the minimum width and clearance requirements for sidewalks, as otherwise required by Table 1 and section 20C.5.D.5.a, if the Agent finds that:
      i. The width of the sidewalk is less than six feet; or
      ii. The developer's substitution of a technique or design results in an improvement that substantially satisfies the overall purposes of this section in a manner equal to or exceeding the desired effects.
   e. The Agent may approve the use of access aisles to meet the block length requirements of section 20C.5.C.2.a if:
      i. Required street features for the Local Street typology are provided along at least one side of the access aisle;
      ii. Sidewalks along the access aisle are connected, extended, and coordinated with sidewalks, SUPs, or entrances to publicly accessible recreation spaces located at either end of the access aisle; and
      iii. Public access to the access aisle and required street features is provided through a perpetual easement in a document approved by the County Attorney.

F. **Special exceptions.** The Board of Supervisors may waive or modify the following regulations in accordance with section 20C.2.E and the following criteria:

1. Development within a Core character area must include a Destination Street unless a Destination Street already exists, per Section 20C.5.D.2.a. To waive or modify this requirement, the applicant(s) must provide information demonstrating:

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a. The Core area retains sufficient area to accommodate a Destination Street that meets the intent of this section; and
b. The proposed development is more consistent with the intent of the Rio29 FBC.

2. Destination Streets must be at least 1,200 feet in length, measured along the street centerline, per Section 20C.5.D.2.b. To waive or modify this requirement, the applicant(s) must provide information demonstrating:
   a. The minimum length of the Destination Street cannot be accommodated on the property; or
   b. The proposed alternative is more consistent with the intent of the Rio29 FBC.

(§18-20C.5, Ord. 26-18( ), 11-18-26)

Sec. 20C.6 Permitted Uses.

A. **Purpose.**

The Rio29 FBC regulates uses to support the transformation of the district into an organized, urban area with clear centers of economic and social activity. Uses on Destination Streets are intended to promote a catalytic mix of activating uses, establishing vibrant centers and destination areas. Beyond Destination Streets, this section allows more versatile and supportive uses, while avoiding detrimental impacts to residential or other uses.

B. **Applicability.**

All uses on properties subject to the Rio29 FBC are subject to this section.

C. **General provisions.**

1. **Uses permitted.** Uses permitted along certain street typologies are listed in Table 2. Accessory uses are permitted unless explicitly prohibited in Table 2.

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Table 2: Permitted uses

Use category	Street typology			
	Destination Street[1]		All other streets and access aisles	
			Core and Flex character area	Edge character area
	Ground floor	Upper floors		
Residential - dwelling unit types				
Multiple-family dwellings[2]	P	P	P	P
Mixed-use dwellings	P	P	P	P
Single-family attached dwellings[2]	N	P	P	P
Two-family attached dwellings[2]	N	N	P	P
Single-family detached dwellings	N	N	N	N
Group homes[2]	P	P	P	P
Commercial, industrial, and flex uses				
Retail sales and service[3]	P	P	P	P
Child day center	P	P	P	P
Restaurants[3], hotels, and lodging	P	P	P	P
Entertainment, recreation, and amusement centers[3]	P	P	P	P
Outdoor and indoor athletic facilities	P	P	P	P
Office	P	P	P	P
Artisan manufacturing[2, 3]	P	P	P	P
Structured parking[3]	P	P	P	SP
Electric vehicle charging station	P	P	P	P
Gasoline fuel dispensers[3]	N	n/a	SE	N
Drive-through windows[3]	N	n/a	SE	SE
Light industrial[2, 3]	P	P	P	SP
Self-service storage facility[3]	N	N	N	SP
Public and institutional uses				
Public and institutional uses	P	P	P	P
Private school uses	P	P	P	P
Community center	P	P	P	P
Fire, ambulance and rescue squad stations (reference 5.1.09).	P	P	P	P
Cultural amenity space	P	P	P	P
Religious assembly	P	P	P	P
Public art[2]	P	P	P	P
Short-term uses				
Temporary uses[2,3]	P	P	P	P
Temporary construction uses and temporary storage yards	P	P	P	P

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Utilities				
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. 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 (reference section 5.1.12).	P	P	P	P
Stormwater management facilities	P	P	P	P
Tier I and Tier II personal wireless service facilities (reference section 5.1.40).	P	P	P	P
Tier III personal wireless service facilities (reference section 5.1.40).	SP	SP	SP	SP
P = Permitted by right SE = Special exception (see section 20C.2.E) required N = Not permitted SP = Special use permit required [1] Destination Street uses are permitted along Destination Streets and within any block abutting a Destination Street. [2] See additional use regulations below. [3] Use not permitted within 50 feet of a residential or rural district.				

2. **Uses generally.**
   a. **Required regulations.**
      In addition to the requirements of section 20C, all uses are required to meet applicable supplementary regulations contained in section 5.1.
   b. **Outdoor display.**
      i. The outdoor display of products for sale must not exceed a 30 square feet area. The height of the display cannot exceed five feet.
      ii. Outdoor displays must be located on the same parcel as the primary use.
   c. **Outdoor storage.**
      i. The outdoor storage of materials is only permitted if it is not visible from public rights-of-way.

D. **Use-specific provisions.**

1. **Multiple-family dwellings, single-family attached dwellings, two-family attached dwellings, and group homes.**
   a. The finished floor elevation of multiple-family dwellings, single-family attached dwellings, two-family attached dwellings, and group homes

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located on the ground story of building facades along Destination Streets must be raised a minimum of two feet above the level of the sidewalk.

2. **Artisan manufacturing.**
    a. An individual artisan manufacturing establishment may not employ more than 20 full-time employees or the equivalent part-time employees.
    b. Any individual artisan manufacturing establishment may have regular storefront hours during which a portion of the premises is open to the public for sale of finished products.
    c. An artisan manufacturing use may hold workshops, classes, or events related to the manufacturing use, provided they are accessory to the manufacturing use.
    d. Single-use buildings containing an artisan manufacturing use within the Edge character area may not exceed a building footprint of 20,000 square feet.
3. **Light industrial.**
    a. Light industrial uses must take place wholly within an enclosed building.
    b. Workshops, classes, or events are only permitted if related to the manufacturing use.
4. **Public art.**
    a. Public art used to meet the requirements of this section must be completely visible and publicly accessible.
    b. If located on an outdoor ground surface, public art used to meet the requirements of this section must be permanently fixed.
5. **Temporary uses.**
    a. Temporary uses must obtain a zoning clearance prior to operation.
    b. Temporary uses may operate for a maximum of 180 days per calendar year.
    c. Temporary uses must align with the permitted uses of the character area in which they occur as listed in Table 2.
    d. Temporary uses in the Rio29 FBC overlay district may request a temporary sign permit pursuant to section 4.15.6, for a period of up to 180 days per calendar year.
    e. Section 20C.9 applies to temporary uses under the Rio29 FBC, with the exception of requirements related to short-term parking and long-term bicycle parking, and the design requirements of section 20C.9.D.4.b.ii.
    f. Temporary uses are exempt from sections 20C.5, 20C.7, 20C.8, 20C.10, 20C.11, and 20C.12.
6. **Uses not specifically identified.**
    The Agent may determine that a use not specifically identified is permitted in the Rio29 FBC overlay district, provided that such use is similar to the permitted uses in terms of locational requirements, operational characteristics, visual and other impacts, and traffic generation. Agent determinations regarding uses may be appealed to the Board of Supervisors within ten days of the date of the Agent's determination, in accordance with section 32.3.6.

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E. **Modifications.**

Finished floor elevation. The Agent may modify the requirement for raised finished floor elevations of multiple-family dwellings, single-family attached dwellings, two-family attached dwellings, and group homes located on the ground story of building facades along Destination Streets if the applicant sufficiently demonstrates that an alternative design similarly limits direct views into private living spaces without obstructing views from those spaces to activity on sidewalks.

F. **Special exceptions.** The Board of Supervisors may waive or modify the following regulations in accordance with section 20C.2.E:

1. Uses as articulated in Table 2, per Section 20C.6.C.1
2. Outdoor display requirements, per Section 20C.6.C.2.b
3. Artisan manufacturing requirements, per Section 20C.6.D.2.a

(§18-20C.6, Ord. 26-18( ), 11-18-26)

Sec. 20C.7 Recreation Spaces.

A. **Purpose.**

Recreation spaces provide attractive and thoughtfully designed places for community members and residents to gather, socialize, and recreate, encouraging placemaking and community building.

B. **Applicability.**

1. **Required recreation space.** Sites developed under the Rio29 FBC must provide required recreation spaces or cash-in-lieu in accordance with section 20C.7.B.3. These requirements supersede the requirements of County Code 4.16.
2. **Recreation space shown on the zoning map.** Development sites containing recreation space shown on the zoning map must provide publicly accessible recreation space(s) in the general location and as the type of recreation space designated on the zoning map. Development sites containing recreation space shown on the zoning map cannot make use of the cash-in-lieu option of section 20C.7.B.3.
3. **Recreation space requirement of less than 0.3 acres.** Development sites with a recreation space requirement of less than 0.3 acres may provide cash-in-lieu, per section 20C.7.E, subject to Agent review and approval.
4. **Coordination with other requirements.** Trees or shrubs required by this section may be used to meet landscaping requirements of section 20C.11, provided they meet the criteria contained in both sections 20C.7 and 20C.11.
5. **Parcels previously developed under the FBC.** Amendments to site plans previously approved under the Rio29 FBC that retain conforming recreation spaces are exempt from this section.

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6. **Application Requirements.** If improvements will be dedicated to public use the following note must be provided on the site plan: "[Identify improvement] is to be installed by the developer and will be dedicated to public use upon completion."

C. **General provisions.**

1. **Minimum recreation space requirements.** The required recreation space size and permissible types are determined by character area, as shown in Table 3.

Table 3: Recreation space requirements by character area

Character area	Minimum percentage of gross acreage dedicated to recreation space	Recreation space type options							
		Plaza	Pocket park	Open green	Linear park	Pedestrian street	Indoor gathering space	Natural area	Recreation space shown on zoning map
Core	10%	P	P	P	P	P	P	-	R
Flex	15%	P	P	P	P	P	P	P	R
Edge	15%	P	P	P	P	-	-	P	R
P = Permitted Recreation Space Type R = Required Recreation Space Type									

2. **ADA requirements.** Required recreation spaces must meet the minimum accessibility requirements, as described in the American Disabilities Act.
3. **Stormwater facilities.** All stormwater facilities must be privately maintained. Stormwater facilities may be collocated with required recreation spaces.
4. **Planting standards.** Required trees and shrubs must be selected from the Albemarle County Plant List.
5. **Public art.** Refer to section 20C.6.D.4 for public art requirements and standards.
6. **Timing for Installation.** Required recreation spaces must be installed for each development or phase of development within five years of the first certificate of occupancy for that development or phase, or as follows, whichever comes first:
    a. For residential developments, delivery of required recreation space must be completed when 40 percent of the units have received certificates of occupancy.
    b. For commercial developments, delivery of required recreation space must be completed when 60 percent of the non-residential gross floor area has received certificates of occupancy.
    c. For mixed-use developments, delivery of required recreation space must be completed when 50 percent of gross floor area has received certificates of occupancy.
7. **Ownership.**
    a. Required recreation spaces shown on the zoning map or of one acre or more in size must be dedicated to the County in fee simple.

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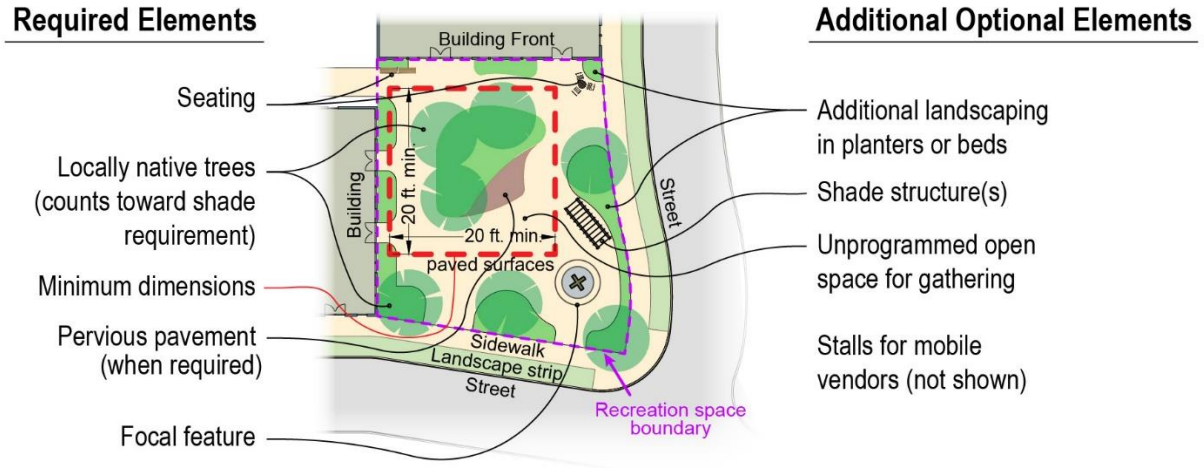
b. Required recreation spaces that are not shown on the zoning map and are less than 1 acre in size must be privately owned and maintained.

8. **Special events**. Special events within county-owned recreation spaces are permitted by-right within the Rio29 FBC district with an approved zoning clearance. Alcoholic beverages may be permitted at such events in accordance with County Code § 10-104 (C).
9. **Maintenance.** In all circumstances involving private maintenance of a required recreation space, the owner must provide:
    a. A note assigning maintenance responsibility for the required recreation space on the site plan; and
    b. A recorded perpetual maintenance agreement approved by the Agent. The agreement is subject to review and approval by the County Attorney, in consultation with ACPR and FES.

D. **Recreation space standards.**

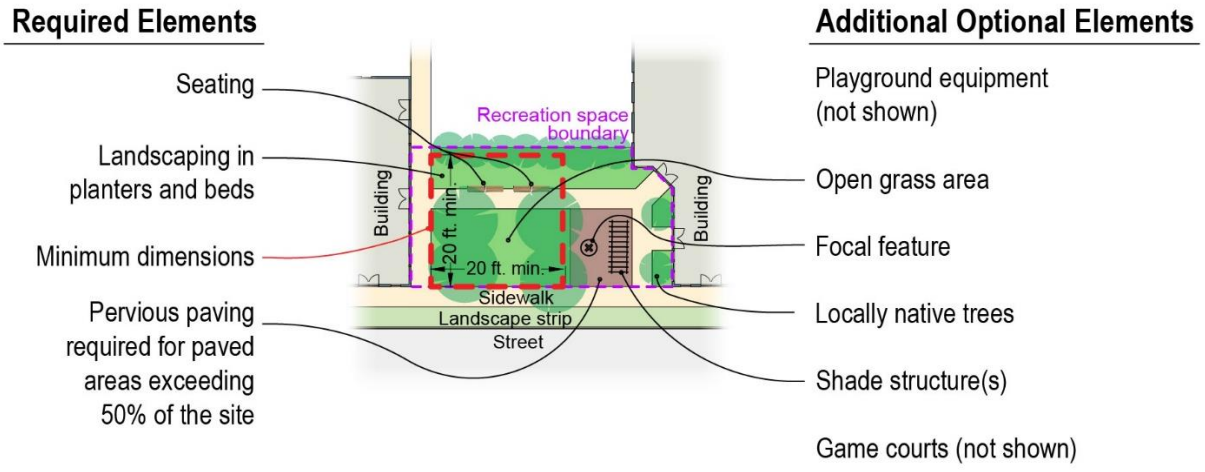
1. Required recreation spaces developed under the Rio29 FBC must comply with all the design standards in Table 4.

Table 4: Recreation Space Design Standards

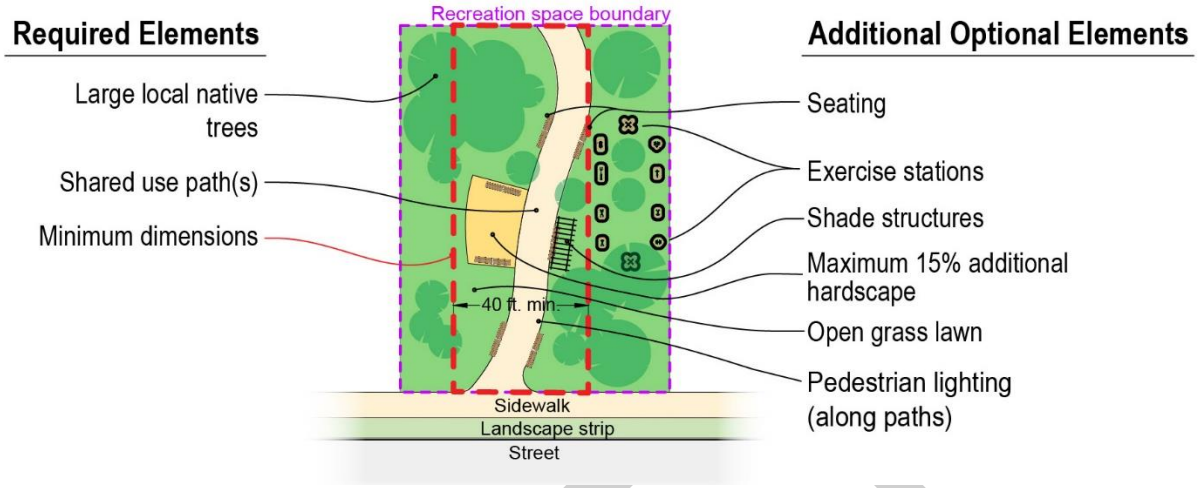
Recreation space type:	**Plaza**
Illustrative diagram 	
Required elements	- For every 30 square feet of plaza, one linear foot of seating must be provided. Seating must have a minimum depth of 16 inches. - A focal feature, such as an art installation or water feature - Locally native trees located to provide shade
Additional elements (At least two types of these elements are required)	- Additional landscaping in planters or beds - Shade structure(s) - Unprogrammed open area for gathering - Stalls or similar accommodations for mobile vendors - Other, as approved by the Agent

Street frontage requirement	- 1 side minimum
Size	n/a
Minimum dimensions	- 20-foot length and width
Other design standards	- Minimum 50% hardscape - Minimum 30% pervious surface area, not including pervious paving - Shade must be provided over a minimum of 30% of the plaza area between April and October. Shade trees may fulfill this requirement.

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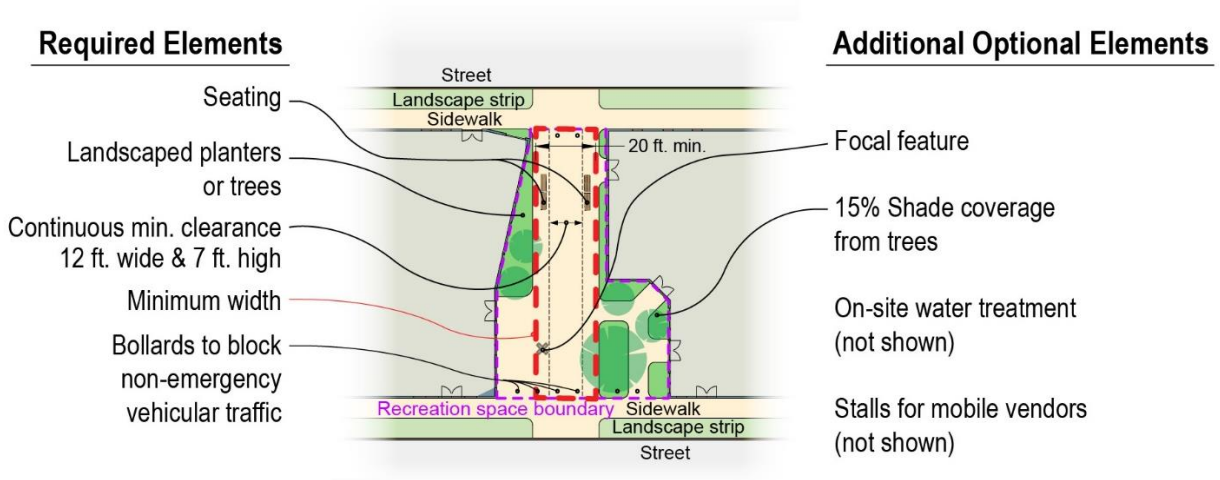
Recreation space type:	**Pocket Park**
Illustrative diagram 	
Required elements	- For every 30 square feet of pocket park, one linear foot of seating must be provided. Seating must have a minimum depth of 16 inches. - Landscaping in planters or beds
Additional elements (At least two types of these elements are required)	- A focal feature, such as an art installation or water feature - Playground - Open grass area for passive or active use - Locally native trees - Shade structure(s) - Game court (such as basketball, volleyball, pickleball, and/or tennis) - Other, as approved by the Agent
Street frontage requirement	- 1 side minimum
Size	- 400 square feet – 21,780 square feet (0.5 acres)
Minimum dimensions	- 20-foot length and width
Other design standards	- At least 30% must be landscaped - Paving in excess of 50% of the site must be pervious paving

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Recreation space type:	**Linear Park**
Illustrative diagram  	
Required elements	- Large, locally native trees located adjacent to the path with a planting size of at least 2½ inches caliper, measured 6 inches above the ground, and having a maximum average spacing of 30 feet or less - Shared-use paths (SUPs)
Additional elements (At least two types of these elements are required)	- Seating (such as chairs, benches, and sitting walls). Seating must have a minimum depth of 16 inches. - Exercise stations - Shade structure(s) - Open grass lawn - Pedestrian lighting - Other, as approved by the Agent
Street frontage requirement	None
Size	n/a
Minimum dimensions	- 40-foot width
Other design standards	- Required SUPs must be accessible from a public pedestrian path, extend to abutting property lines, and coordinate with existing or planned linear park facilities - Maximum of 15% hardscape, excluding SUPs

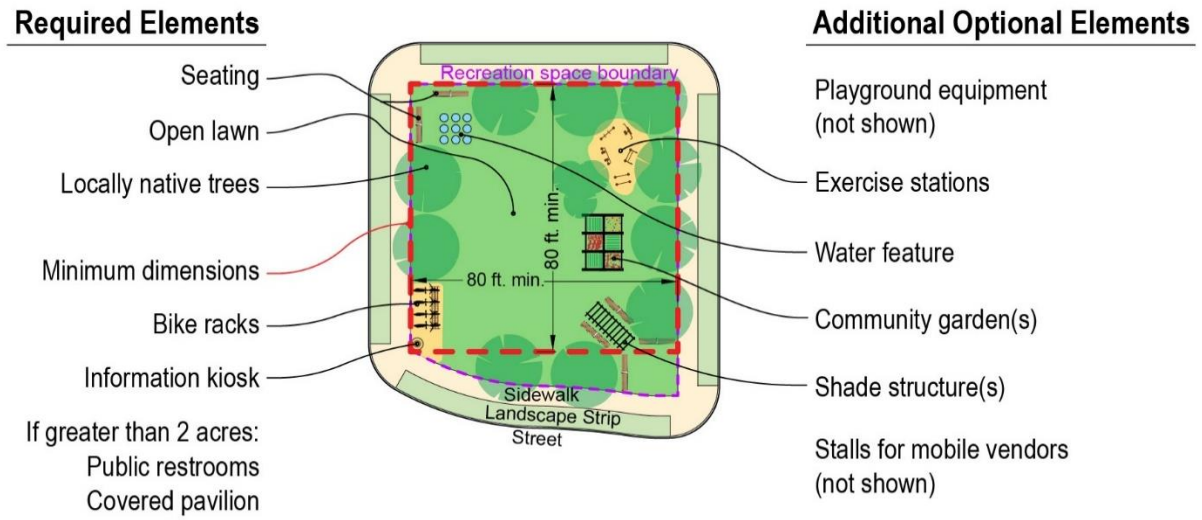
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Recreation space type:	**Pedestrian Passage**
Illustrative diagram	

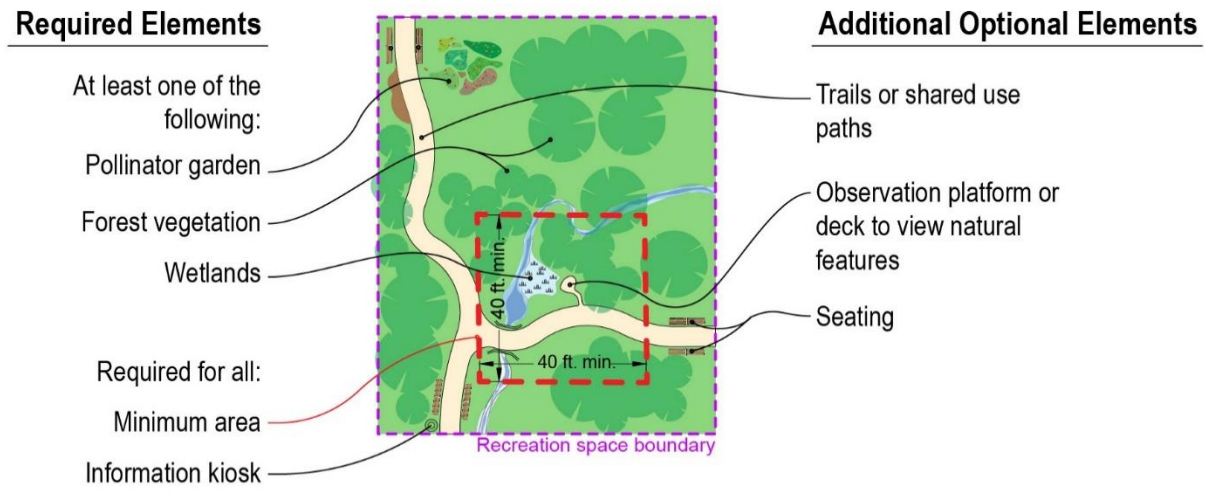


Required elements	- Seating (such as chairs, benches, and sitting walls). Seating must have a minimum depth of 16 inches. - Bollards or other obstructions to vehicle traffic - Landscaped planters or trees
Additional elements (At least two types of these elements are required)	- A focal feature, such as an art installation - Shade must be provided over a minimum of 15% of the pedestrian passage between June and September. Shade trees may fulfill this requirement. - On-site stormwater retention and treatment system - Stalls for vendors - Other, as approved by the Agent
Street/publicly accessible recreation space frontage requirement	- 2 sides minimum
Size	n/a
Minimum dimensions	- 20-foot width
Other design standards	- A continuous minimum clearance at least 12 feet wide and seven feet high that is free of all obstructions, including but not limited to signage, seating, tree limbs, tree grates or uncovered wells, light poles, or similar features, must be provided at all times, except during festivals or similar temporary events - Passages through buildings may serve as pedestrian passages, provided they meet all requirements - Pedestrian passages provided pursuant to section 20C.5 can be used to meet the recreation space requirement, provided the requirements of this section are met.

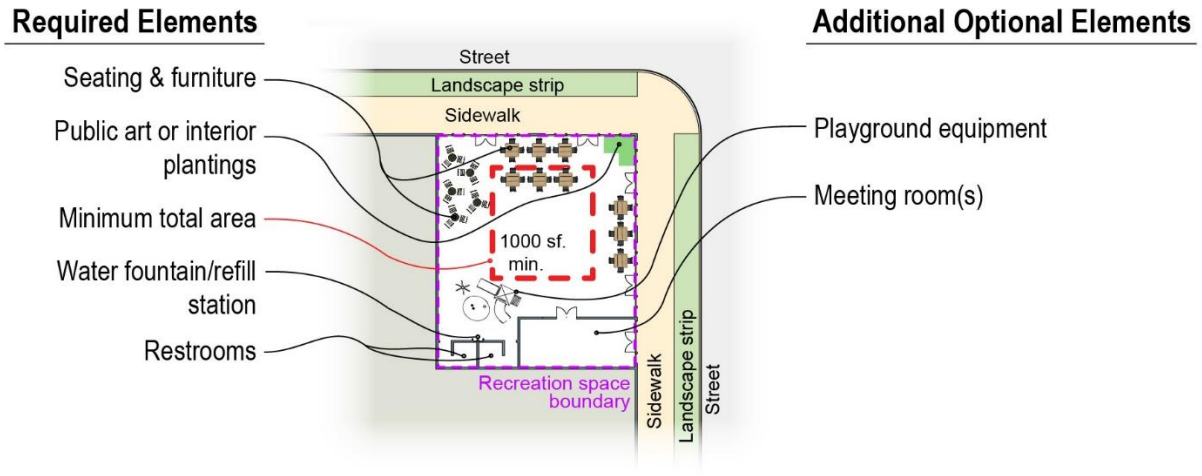
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Recreation space type:	**Open Green**
Illustrative diagram  	
Required elements	- Open grass lawn for passive or active use - Seating (such as chairs, benches, and sitting walls). Seating must have a minimum depth of 16 inches. - Bike racks - Information kiosk - Locally native trees located around the perimeter with a planting size of at least 2½ inches caliper, measured 6 inches above the ground, and having a maximum average spacing of 35 feet or less If the Open Green exceeds 2 acres: - Pavilion - Public restrooms
Additional elements (At least two types of these elements are required)	- Playground(s) - Shade structure(s) - Exercise stations - Water feature - Community garden - Stalls or similar accommodations for mobile vendors - Other, as approved by the Agent
Street frontage requirement	- 1 side minimum
Size	- 0.5—5 acres
Minimum dimensions	- 80-foot length and width
Other design standards	- Minimum 60% pervious surface area, not including pervious paving - Paved pedestrian or shared-use paths (SUPs)

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Recreation space type:	**Natural Area**
Illustrative diagram  	
Required elements	At least 70% of the Natural Area must be planted and designated on the site plan as at least one of the following: - Forest vegetation meeting the density defined in section 20C.3 - Wetlands - Pollinator gardens Required in all: - Information kiosk
Additional elements (At least two types of these elements are required)	- Trails or shared-use paths (SUPs) - Seating (such as chairs, benches, and sitting walls). Seating must have a minimum depth of 16 inches. - Observation platform or deck to view the natural recreational area - Other, as approved by the Agent
Street frontage requirement	None
Size	- 0.5 acres minimum
Minimum dimensions	- 40-foot length and width
Other design standards	- Minimum of 90% must be pervious - Resource management plan to guide the long-term stewardship of the natural elements, subject to ACPR approval. If the Area is an existing vegetated space, then prior to dedication all trash, litter, debris, pollutants, and invasive species must be removed or otherwise managed. Inspection by ACPR/FES prior to dedication.

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Recreation space type:	**Indoor Gathering Space**
Illustrative diagram  	
Required elements	- Seating (such as chairs, benches, and tables) - An art installation or indoor plantings - Water fountain or refill station - Restrooms
Additional elements (At least one of these elements is required)	- Playground with a minimum size of 20 square feet - Meeting room or spaces - Other, as approved by the Agent
Street frontage requirement	None
Size	- 1,000 square foot minimum
Minimum dimensions	n/a
Other design standards	- The space must be open to the public from at least 9am to 5pm, Monday through Friday. - Private events are prohibited during required public hours. The exterior entrance to the space must: - Be accessible; - Be clearly marked as the entrance, with instructions for accessing the interior space; - Be of a design that is consistent with the character of the building; and - Not have the character or appearance of a service entrance.

E. **Cash-in-lieu.**

The cash-in-lieu amount will be based on 120% of the assessed value of the area required for recreation space at the time of final site plan submittal, based on the assessed value as reported by Albemarle County. Recreation spaces developed on-site that have the same accessibility as required recreation spaces may be used as credit against cash-in-lieu amounts. Cash-in-lieu funds will be used by the County for publicly accessible recreation spaces within the Rio29 FBC overlay district.

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F. **Trail and shared-use path (SUP) standards.** Trails and SUPs included on a site plan must adhere to the following design standards:

1. Trails must meet or exceed the standards of the Albemarle County Design Standards Manual for Class B Type Two high-maintenance pedestrian paths.
2. Location, width, drainage, and other factors of trails should be coordinated with other existing or planned trails and SUPs within the general area and must be extended and constructed to abutting property lines. To the extent possible, trails should provide connectivity to nearby or adjacent publicly accessible outdoor recreation spaces.
3. Standards for SUPs in section 20C.5.D.6 apply.

G. **Modifications.**

Ownership. The Agent may approve dedication to the public via easement, instead of in fee simple, with access to the required publicly accessible recreation space provided during the following minimum hours:

1. Outdoor required recreation spaces must be open to the public from at least 7am to sunset;
2. Indoor required recreation spaces must be open to the public from at least 9am to 5pm; and
3. Any additional hours as determined by the Agent.

(§18-20C.7, Ord. 26-18( ), 11-18-26)

Sec. 20C.8 Building Form.

A. **Purpose.**

The Rio29 FBC building form requirements are intended to establish an urban form of development and define the relationship between structures and the public realm. The requirements of this section facilitate vibrant, pedestrian-oriented streets through a consistent sense of spatial enclosure along each street and across the street network, with particular emphasis on Destination Streets.

B. **Applicability.**

1. **New buildings.** New buildings constructed under the Rio29 FBC and all subsequent building renovations, modifications, or additions are subject to this section.
2. **Existing buildings.** Existing buildings are subject to section 20C.8.C.4. Exterior modifications or additions to existing buildings are subject to all requirements of this section except those related to building height and build-to range.

C. **General provisions.**

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1. **Orientation of building to primary street.** The primary building facade must face the primary street. As set forth in Table 5, the primary street is the highest-ranking street abutting a parcel, development, or building.

Table 5: Street hierarchy

Rank (1 = highest)	Street type
1	Destination Street
2	Avenue
3	Boulevard
4	Local Street
5	Through Corridor or Service Street (pedestrian passage only)

2. **Building standards by street type.** All buildings developed under the Rio29 FBC must meet the standards in Tables 6 and 7.

Table 6: Building height by character area

	Core character area	Flex character area	Edge character area
Building height in stories[1] [2]	Minimum: 2, except buildings located within 40 feet of a Through Corridor may be 1 story. Maximum: 7, not to exceed 105ft [3]	Minimum: 2, except buildings located within 40 feet of a Through Corridor may be 1 story. Maximum: 5, not to exceed 75ft [3]	Minimum: none Maximum: 3, not to exceed 45ft
[1] Building height is measured pursuant to section 3.1. Definitions, *Building height*. [2] Building heights do not apply to structures associated with recreation spaces. [3] Building height can be increased pursuant to section 4.10.3 and section 20C.12.D.			

Table 7: Building standards by street type

	Through Corridor	Destination Street	All other streets[5]	
			Core and Flex character area	Edge character area
Ground story height (measured floor-to-ceiling)[1]	Not required	Minimum 12-foot ground story height	Not required	Not required
Build-to range[2] [3]	2 – 35 feet	2 – 10 feet	2 – 10 feet	2 – 25 feet
Minimum percentage of primary street frontage occupied by a facade or publicly accessible recreation space in the build-to range [3] [4]	50%	75%	60%	33%
Maximum distance between ground story pedestrian	n/a	50 feet	75 feet on Avenue or Boulevard, n/a	75 feet on Avenue or Boulevard, n/a

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entrances along the primary street frontage			on all other street types	on all other street types

[1] See Figure 2.
[2] Ground story building facades within ten feet of a block corner are exempt from this requirement, to allow the corner of the building to be chamfered (cutting the corner off) for sidewalks, landscaping, and building entrances. See Figure 3.
[3] Additions to existing buildings are exempt from build-to range requirements.
[4] See Figure 3.
[5] A Service Street cannot be a primary street unless it is a pedestrian passage.
[6] Building standards by street type do not apply to structures associated with recreation spaces.

Figure 2: Building height measurement

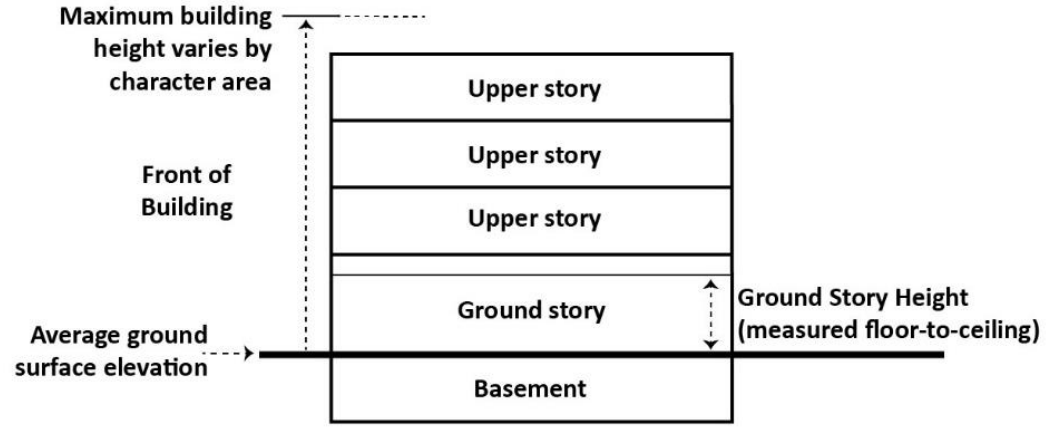
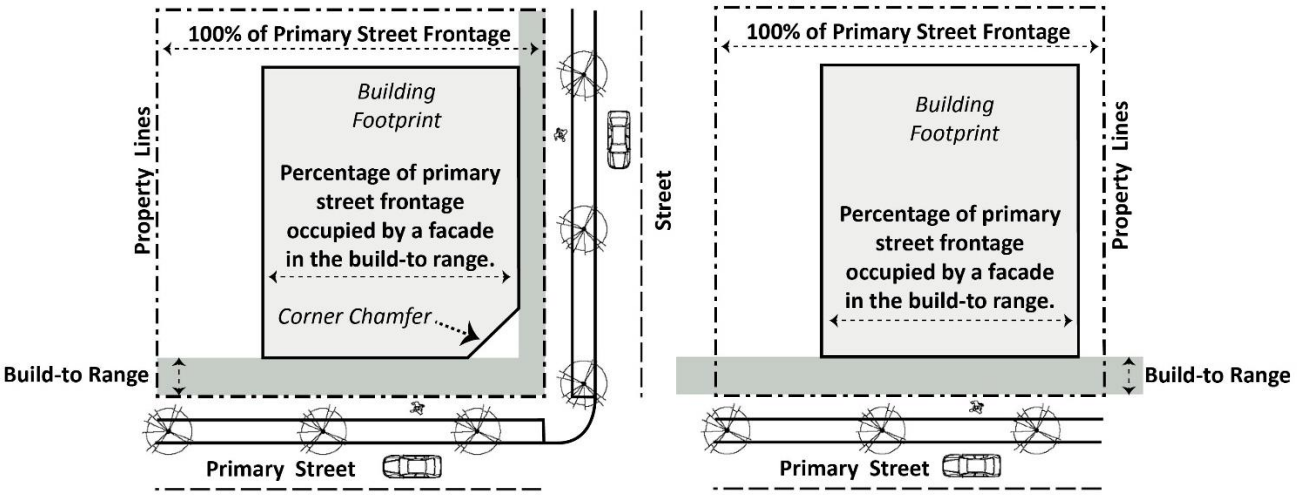


Figure 3: Example illustration of a façade located within the build-to range

For corner lots, at the intersection of two streets:

For typical mid-block lots:

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The chamfered corner of a building at an intersection of two streets does not count against the frontage requirement.

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3. **Use buffer.** No construction activity including grading or clearing of vegetation can occur closer than 20 feet to any residential or rural areas district. Screening must be provided as required in section 32.7.9.7, notwithstanding section 32.7.9.7(a).
4. **Building entrances.** For buildings located within 35 feet of a primary street or a publicly accessible outdoor recreation space, the primary entrance must face the primary street frontage (as defined in section 20C.8.C.1), an intersection of the primary street, or a publicly accessible outdoor recreation space.

D. **Modifications.** The Agent may grant modifications to the building standards as listed below, provided the resulting building and site design meets the purpose and intent of this section.

1. **Orientation of building to primary street.** The Agent may approve an alternative primary street, if the resulting building and site design meet the purpose and intent of this section.
2. **Ground story height.** A reduced minimum floor-to-ceiling height of no less than 10 feet may be granted for ground stories in multiple-family dwellings along Destination Streets.
3. **Build-to range.** Modifications to the build-to range requirements may be granted when publicly accessible recreation spaces, outdoor seating areas, natural features (such as existing mature trees), terrain, or existing utilities interfere with the required build-to range.

E. **Special exceptions.** The Board of Supervisors may waive or modify the following regulations in accordance with section 20C.2.E and the following criteria:

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1. No construction activity including grading or clearing of vegetation can occur closer than 20 feet to any residential or rural areas district, per section 20C.8.C.3. To waive or modify this requirement, the applicant(s) must provide information demonstrating:
    a. Grading or clearing is necessary or would result in an improved site design;
    b. Minimum screening requirements will be satisfied; and
    c. Existing landscaping in excess of the minimum requirements is substantially restored.

(§18-20C.8, Ord. 26-18( ), 11-18-26)

Sec. 20C.9 Parking.

A. **Purpose.**

The parking standards are designed to enhance the pedestrian realm and public spaces by providing high-quality and convenient cycling infrastructure, encouraging shared parking and ride-sharing options, and reducing the amount and visibility of private motor vehicle parking.

B. **Applicability.**

1. **Development sites and uses.** Development sites and uses subject to the Rio29 FBC are subject to this section and section 4.12, with the exception of sections 4.12.4.a, 4.12.5.a, 4.12.6, 4.12.13.a, 4.12.13.c, and 4.12.13.e.
2. **Structured parking.** Parking structures are also exempt from sections 4.12.15.d, 4.12.15.g, 4.12.16.e, 4.12.17.a, 4.12.17.d, 20C.9.C.2, and 20C.9.D.1.

C. **General provisions.**

1. **Motor vehicle parking type and location.** The type and location of motor vehicle parking must comply with Table 8.

Table 8: Type and location of motor vehicle parking by street type

Parking types	Parking location			
	Destination Streets	Service Streets	Other streets	
			Core and Flex	Edge
On-street – parallel or angled[1]	Permitted	Not permitted	Permitted	Permitted
Surface parking	Permitted only to the rear of buildings	Permitted	Permitted only to the rear or side of buildings	Permitted only to the rear or side of buildings
Structured parking	Permitted	Permitted	Permitted	Permitted by special exception
[1] Parking types must be consistent with the frontage street type (see section 20C.5).				

2. **Required motor vehicle parking spaces.** The number of motor vehicle parking spaces for each use must comply with Table 9.

Table 9: Required number of motor vehicle parking spaces by use

	Non-residential (excluding hotels and lodging)	Hotels and lodging	Residential
Standard parking minimum[1]	1 space per 300 square feet of gross floor area, or part thereof.	1 space per guest room.	1.25 spaces for studio and 1-bedroom dwelling units 1.75 spaces for dwelling units of 2 or more bedrooms 1 additional visitor parking space for every 5 dwelling units, or part thereof
Standard parking maximum	The aggregate number of private, on-site, surface parking spaces may not exceed 125% of the aggregate parking minimum.		
Short-term parking minimum[2]	1 space per 40,000 square feet of gross floor area, or part thereof.	1 space per 100 guest rooms, or part thereof.	1 space per 50 dwelling units, or part thereof, for multifamily buildings.
[1]On-street parking located on or adjacent to the site may be counted towards the minimum requirement. [2]Short-term parking is in addition to standard parking minimums.			

3. **Motor vehicle parking standards.** Off-street surface parking areas must be located at least 10 feet from the right-of-way to allow for adequate screening, in accordance with section 32.7.9.5.e. Surface parking abutting alleys is not subject to this standard.
4. **Structured parking**.
    a. Structured parking must be screened so that vehicles on all parking levels are substantially screened from adjacent streets and publicly accessible outdoor recreation spaces. Screening can be provided by architectural features or vegetative screen.
    b. Sloped ramps may not be located along the perimeter of a parking structure abutting streets or publicly accessible outdoor recreation spaces.
    c. Parking structure façades are exempt from the fenestration requirements of section 20C.10.C.1.
5. **Short-term parking**.
    a. Short-term parking spaces must be clearly labeled, with maximum parking times of 15 minutes.
    b. Short-term parking spaces must be located within 100 feet or less of main entrances of multiple family buildings. On-street parking spaces must be used to fulfill the short-term parking space requirement if on-street surface parking is used to meet parking requirements.
6. **Shared parking**.
    a. In addition to the regulations of section 4.12.10, off-site shared parking must be within a distance of 0.1 miles (528 feet), measured along pedestrian paths, for residential uses, and 0.25 miles (1320 feet),

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measured along pedestrian paths, for non-residential uses, hotels and lodgings.

b. Shared parking may count each parking space towards the required parking minimums for multiple uses if the uses sharing spaces experience peak parking demands at different times, as evidenced by a parking study. The number of parking spaces provided in shared parking must at least equal the largest minimum parking requirement of any single use sharing the spaces.

D. **Bicycle parking.**

1. **Required bicycle parking spaces.** The number of bicycle parking spaces for each use must comply with Table 10.

Table 10: Minimum Number of Required Bicycle Parking Spaces by Use*

	Non-residential uses	**Residential uses**
Short-term	1 space per 4,000 square feet of gross floor area	0.1 spaces per bedroom
Long-term	1 space per 10,000 square feet of gross floor area	0.5 spaces per bedroom
*When calculated, the required number of spaces is determined by rounding up to the nearest whole number.		

2. **Short-term bicycle parking**. Required short-term bicycle parking must be visible from nearby bikeways and located on the public access level, within 50 feet of a primary building entrance, and either inside or outside the building.
3. **Long-term bicycle parking.** Long-term bicycle parking must be:
   a. Covered and within an enclosed space limited to residences and employees;
   b. Within 100 feet of a primary entrance, as measured by walking distance from the entrance to the nearest point of the bicycle parking area;
   c. Allow bicycles to be wheeled to the parking area without use of elevators or stairs; and
   d. Provide horizontal "roll-in" parking that accommodates cargo bicycles for at least 10 percent of the required bicycle parking spaces.
4. **Minimum design requirements.**
   a. Bicycle parking must:
      i. Allow the easy locking of both the bicycle frame and at least one wheel, except when bicycles are stored in individually accessed lockers or similar enclosures;
      ii. Be designed to not damage bicycles;
      iii. Be anchored so that they cannot be easily removed;
      iv. Be of solid construction, resistant to rust, corrosion, hammers, and saws; and
      v. Be consistent with the building or street furniture design.
   b. Bicycle parking locations must:

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i. Be clearly marked as such;
ii. Have a paved surface with a slope no greater than three percent;
iii. Include adequate clearance around racks or lockers to give cyclists room to maneuver, and to prevent conflicts with pedestrians or parked cars; and
iv. Provide for adequate lighting both within the area and along the route to the building entrance.

c. Wall-mounted or similar bicycle racks cannot exceed 25 percent of required short-term bicycle parking.

E. **Dumpster pads and Loading areas.**

1. Dumpster pads must be located to the rear and/or alley side of buildings and consistent with section 20C.10.C.3 and other applicable requirements.
2. Loading facilities must be located to serve the buildings and uses generating the need and consistent with section 20C.10.C.3 and other applicable requirements.
3. **When loading spaces are required.** Loading spaces must be provided at the following rates:
   a. **Multifamily.** One loading space for each 200 units or fraction thereof for multifamily buildings with more than 50 units;
   b. **Office or restaurant uses.** One loading space for office or restaurant uses with 6,000 square feet of gross floor area or more;
   c. **Other commercial or retail uses.** The number of loading spaces for commercial uses (not including office or restaurant uses) or retail uses must comply with Table 11.

Table 11: Required number of loading spaces for commercial uses (excluding office or restaurant uses) or retail uses

Square feet of gross floor area	Minimum number of loading spaces
3,000-14,999	1
15,000-49,999	2
50,000-99,999	3
100,000 or more	4

   d. **For industrial or manufacturing uses.** One loading space and an additional space for each 50,000 square feet of gross floor area or more.

F. **Modifications.**

1. **Required standard motor vehicle parking spaces and loading spaces.** The Agent may grant the following modifications to standard minimum and maximum required parking spaces, provided the resulting parking meets the purpose and intent of this section:
   a. An increase to the maximum required parking spaces, to allow for phased development of existing surface parking;

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b. An increase to the maximum required parking spaces and/or loading spaces if a parking and loading needs study submitted by the applicant demonstrates a clear need for additional on-site parking and options for shared parking are not available;
c. A reduction to the minimum number of required parking spaces due to availability of mass transit, car pooling, park and ride lots, or other technique as approved by the Agent; or
d. A reduction to the minimum number of required parking spaces and/or loading spaces if a parking and loading needs study submitted by the applicant demonstrates a lower parking demand.

2. **Motor vehicle parking space design.** The Agent may grant the following modifications to parking area design requirements:
   a. Reduction in parking space size to accommodate motorcycles, compact vehicles, or autonomous vehicles; or
   b. Reduction in access aisle minimum design requirements to accommodate compact or autonomous vehicles.
3. **Structured parking.** The Agent may permit sloped ramps to be located along the perimeter of a parking structure abutting streets or publicly accessible outdoor recreation spaces provided the resulting structure meets the purpose and intent of this section.
4. **Short-term parking.** The Agent may grant modifications to the minimum number of short-term parking spaces, provided the applicant demonstrates that the intended use does not generate short-term parking demand.
5. **Bicycle parking.** The Agent may grant modifications to bicycle parking standards provided the resulting parking meets the purpose and intent of this section.

(§18-20C.9, Ord. 26-18( ), 11-18-26)

Sec. 20C.10 Architecture.

A. **Purpose.**

Architectural design standards in the Rio29 FBC set parameters for the exterior design of buildings, addressing appearance through appropriate materials and configuration and articulation of building elements. These standards reinforce a human-scaled environment with active streets and visual interest and establish a sense of place that is unique to the district.

B. **Applicability.**

1. **Required architectural design standards.** Development sites under the Rio29 FBC are subject to this section.
2. **Certificates of Appropriateness.** Properties within the Entrance Corridor overlay district (section 30.6) must obtain a Certificate of Appropriateness in accordance with section 30.6.4.b.3 prior to final site plan approval.

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3. **Facing façades.** Façades facing one another with a separation of 10 feet or less are exempt from sections 20C.10.C.1, 20C.10.C.2, and 20C.10.C.3.

C. **General provisions.**

1. **Fenestration.**
    a. Façade fenestration must comply with Table 12.

Table 12: Minimum wall area fenestration requirements along certain street types and recreation spaces.

Stories	Destination Street, Avenue, Boulevard, publicly accessible outdoor recreation space (excluding pedestrian passages)	Local Street	Pedestrian passage	Through Corridor
Ground story non-residential	60%	45%	15%	30%
Ground story residential	40%	30%	15%	30%
Upper story non-residential	40%	30%	15%	25%
Upper story residential	25%	25%	15%	25%

b. **Measurement.** Minimum wall area fenestration is measured as follows:
    i. The ground story wall area is measured from two feet above the finished floor elevation to the ceiling.
    ii. The wall area of each story above the ground story is measured floor to floor or to the top of the wall plate, if there is no floor above.
    iii. Openings in the façade created by balconies with a minimum depth of five feet can be used to meet the fenestration requirement.
    iv. Glass panes, supporting mullions, muntins, grilles, rails, and stiles of windows and doors can be used to meet minimum requirements.
    v. Window and door frames, surrounds larger than six inches, and opaque portions of doors do not count toward minimum requirements.
    vi. Fenestration extending above or below the measurement area may not be used to meet the minimum façade fenestration requirements.
c. **Transparency standards.** Windows and doors used to meet the minimum façade fenestration requirements must comply with the following standards:
    i. Glass in ground story windows and doors must be transparent and have a visual light transmittance higher than 75% and external visual light reflectance less than 20%.

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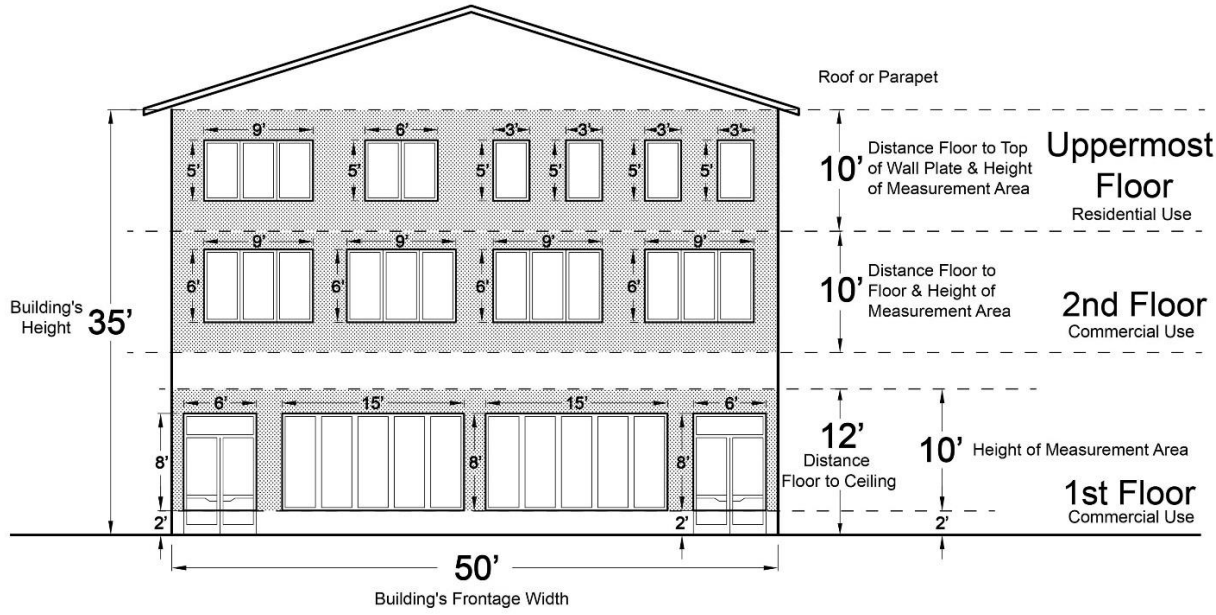
ii. Glass in upper story windows and doors must be transparent and have a visual light transmittance higher than 40% and external visual light reflectance less than 30%.

d. **Application requirements.**

i. Site plans must include the area measurements used for calculating wall area and façade fenestration, and include a tally of square feet on the site plan to demonstrate compliance with the minimum façade fenestration requirements. See Figure 4.

ii. Specifications demonstrating compliance with section 20C.10.C.1.b.i-iii must be provided in the site plan.

Figure 4: Example Fenestration Calculations



Example calculations of fenestration for a hypothetical building in the Core character area

Ground story:	**2nd story**:	**3rd story**:
• Measurement area = 500 sq. ft. (10' x 50')	• Measurement area = 500 sq. ft.	1. Measurement area = 500 sq. ft.
• Surface area of transparency within the measurement area: 336 sq. ft.	• Surface area of transparency within the measurement area: 216 sq. ft.	2. Surface area of transparency within the measurement area: 135 sq. ft.
• % Minimum required: 60%	• % Minimum required: 40%	3. % Minimum required: 25%
• % Calculated: 67.2 % (336' ÷ 500')	• % Calculated: 43.2 %	4. % Calculated: 27 %

*The diagram above is an example. In other situations, the ground story may have a different floor-to-ceiling height requirement, and the upper floors could be all residential or all commercial.

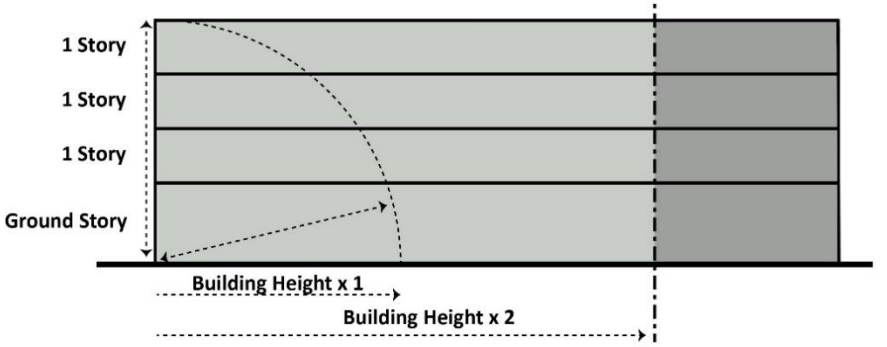
2. **Façade articulation requirements.**

a. **Maximum façade segment length.** Façade articulation must comply with Table 13.

Table 13: Maximum façade segment length

Street Type	Maximum façade segment without façade articulation
Through Corridor	4x building height
Destination Street, Avenue, Boulevard, Local Street, publicly accessible recreation space	2x building height
Pedestrian passageway	1x building height
Service Street (excluding pedestrian passageways)	No maximum

Figure 5: Maximum façade segment length measurement example



b. **Permitted options for façade articulation.**
   i. Physical breaks in the plane of the façade including but not limited to wall recesses and vertical and horizontal projections;
   ii. Visual breaks in the plane of the façade, including material changes, texture changes, and detailing; and
   iii. Roofline breaks, balconies, arcades, awnings and canopies.

c. **Pedestrian passageways.** Additional options for articulating a façade along pedestrian passageways include:
   i. Trellises, wall plantings, or similar attachments; and
   ii. Art installations.

3. **Screening.**
   a. Visibility of the following elements must be eliminated from Destination Streets, Boulevards, Through Corridors, and publicly accessible outdoor recreation spaces:
      i. Building- or ground-mounted mechanical equipment, including but not limited to: transformers, backflow preventors, telephone or fiber optic risers, equipment cabinets, generators, and similar devices;
      ii. Mechanical equipment on roofs;
      iii. Air conditioning or similar HVAC equipment;
      iv. Loading docks, berths, or similar spaces, including but not limited to service entrances and maintenance areas; and

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v. Refuse and recycling containers and handling areas that accommodate a dumpster or five or more trash or recycling cans.

b. Visibility of the following elements must be eliminated from Avenues, Local Streets, and pedestrian passages:
   i. Mechanical equipment on roofs; and
   ii. Refuse and recycling containers and handling areas that accommodate a dumpster or five or more trash or recycling cans.

c. **Permitted screening types.** Screening must consist of new landscaping, existing vegetation, slightly opaque walls or fences, or a combination thereof, that coordinates with the design of the development site to the reasonable satisfaction of the Agent. The Agent may require plantings to mitigate visual impacts of the fence or wall.

4. **Building façade materials.** Materials are permitted or prohibited for building facades according to Table 14.

Table 14: Building façade materials

Material		**Permitted**	**Prohibited**
Stone	Natural stone/native stone	X	
	Stone veneer	X	
	Cast stone	X	
	Artificial stone (concrete base)	X	
Brick	Natural brick	X	
	Prefabricated panel brick and tilt-up brick textured paneling		X
Stucco	Stucco-cementitious or elastomeric finish	X	
Concrete	Concrete finished to an architectural level	X	
	Precast concrete including precast concrete panels	X	
	Concrete block: decorative concrete masonry unit	X	
	Concrete block with stucco	X	
	Split face block	X; only as an accent	
Glass[1]	Glass curtain wall system	X	
	Glass block	X; only as an accent	
	Tinted or mirrored glass		X
Metal	Aluminum siding		X
	Metal curtain wall systems, metal panel systems, metal panels (individual) including prefinished and cut, stamped, or cast ornamental	X; highly reflective materials only as an accent	
	Corrugated metal siding and metal siding with an industrial profile		X
	Metal sheets with expressed seams	X	
Wood	Wood siding	X	
	Unfinished or untreated wood siding		X
	Plywood siding (T1-11)		X
	Wood clapboard (including high-quality manufactured wood)	X	

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Tile		X	
Synthetics/ Composites	Fiber cement siding – panels, boards (for example, Hardie-plank)	X	
	Foam-based products: cellular PVC trim	X; only for architectural detailing above the first floor	
	Vinyl siding		X
	Scored stucco (imitation brick/stone)		X
Other	Green walls	X	
[1]See section 20C.10.C.1.c for transparency requirements. *Accent materials cannot exceed more than 15% of the façade.			

5. **Roof material**.
    a. Roof materials must have an aged solar reflectance index (SRI) equal to or greater than the values in Table 15. If aged SRI is not available, the roofing material must have an initial SRI equal to or greater than the values in Table 15. Roof areas covered by mechanical equipment, solar energy panels, skylights, vegetation, and any other appurtenances are exempt from this requirement.
        i. Initial SRI must be computed in accordance with ASTM E1980, under medium windspeed conditions from initial values of solar reflectance and thermal emittance measured in accordance with ANSI/CRRC S100.
        ii. Aged SRI must be computed in accordance with ASTM E1980, under medium windspeed conditions from aged values of solar reflectance and thermal emittance measured in accordance with ANSI/CRRC S100.

Table 15: Minimum solar reflectance index (SRI) value by roof slope

	Slope	Initial SRI	Aged SRI
Low-sloped roof	Less than or equal to 2:12	82	64
Steep-sloped roof	Greater than 2:12	39	32

    b. **Application requirements.** Site plans must include sufficient documentation of solar reflectance index (SRI) values demonstrating compliance with this section. SRI values may be available at the Cool Roof Ratings Council's Rated Products Directory.

6. **Signs.**
    a. All signs must conform to section 4.15.
    b. Temporary sidewalk signs cannot be placed within the continuous minimum clearance area for sidewalks, shared-use paths, and/or pedestrian passages, pursuant to sections 20C.5.D.5.a, 20C.5.D.6.a, and Table 4 in section 20C.7.D, or in street tree wells that are not covered with hard grates.

D. **Modifications.**

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Screening. The Agent may modify the screening requirement for transformers and telephone or fiber optic risers from view of Destination Streets, Boulevards, Through Corridors, and publicly accessible recreation spaces if the Agent finds that the developer's substitution of a technique or design results in an improvement that substantially satisfies the overall purposes of this section in a manner equal to or exceeding the desired effects.

E. **Special exceptions.** The Board of Supervisors may waive or modify the following regulations in accordance with section 20C.2.E and the following criteria:

1. The architectural requirements for existing buildings, per section 20C.10. To waive or modify this requirement, the applicant(s) must provide information demonstrating:
    a. The existing building(s) will be incorporated into a larger development project; or
    b. The existing building(s) will demonstrate a greater level of conformity with section 20C.10.C than the existing condition.

(§18-20C.10, Ord. 26-18( ), 11-18-26)

Sec. 20C.11 Landscaping and Lighting.

A. **Purpose.** The purposes of this section are to:

1. Ensure consistency in landscaping and lighting standards for a unifying design aesthetic across the Rio29 FBC overlay district;
2. Promote the orderly development of outdoor spaces that are comfortable, safe, and attractive to pedestrians, patrons, and passersby;
3. Ensure consistency with the priorities listed in section 32.7.9.1.a-f;
4. Prioritize native plants and trees in landscaping; and
5. Protect the health and welfare of community members, reduce lighting conflicts between property owners, and preserve dark skies through lighting standards.

B. **Applicability.**

1. **Landscaping requirements.** Developments subject to the Rio29 FBC must meet the landscaping requirements of this section.
2. **Lighting requirements.** Developments subject to the Rio29 FBC must meet the lighting requirements of this section.

C. **Landscaping.** The landscaping requirements listed below supersede sections 32.7.9.5, 32.7.9.6, and 32.7.9.8.

1. **General provisions.**
    a. **Additional planting standards.**
        i. Required trees and shrubs must be selected from the Albemarle County Plant List.

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ii. Each development requiring twenty or more trees must provide at least five different genera (e.g., Acer, Quercus, Pinus, etc.). No single genus can comprise more than 30 percent of the required plantings.

b. **Coordination with other requirements.** Trees or shrubs required by this section may be used to meet recreation space requirements of section 20C.7, provided they meet the criteria contained in both sections 20C.7 and 20C.11.

c. **Application requirements.** The following note must be included on landscape plans: "Trees and shrubs will be allowed to reach, and be maintained at, mature height. Pruning will be minimal and only to support the overall health of the plant. The topping of trees is prohibited."

2. **Landscaping along streets.**

a. Street trees are required per Table 16.

Table 16: Minimum street tree requirements by street type

Street type	Street tree requirements		
	Tree type	Planting size (measured 6 inches above the ground)	Spacing (maximum average distance between trees, per block length)
Destination Street	Medium, small, or ornamental trees	At least 2½ inches caliper	30 feet or less
Avenue	Large or medium deciduous trees[1]	At least 2½ inches caliper	30 feet or less
Boulevard	Large or medium deciduous trees[1]	At least 2½ inches caliper	30 feet or less
Local Street	Medium or small deciduous trees	At least 2½ inches caliper	30 feet or less
Through Corridor	Large deciduous trees and ornamental trees[2]	At least 3½ inches caliper	40 feet or less
Service Street	None		

[1] If VDOT standards do not allow large or medium trees, small trees may be substituted. If small trees are not allowed, ornamental trees may be substituted.
[2] Ornamental trees must be interspersed among required large shade trees. The ornamental trees need not alternate one for one with the large shade trees. They may be planted among the large shade trees in a less regular spacing pattern.

b. Street trees on Destination Streets must be located in tree wells, or similar features, with grates.

c. All street trees must be planted parallel to the street in the landscaped separation zone, within appropriately sized tree wells at grade, or in a planting strip abutting the sidewalk.

d. Street tree species must be varied on consecutive blocks unless at least three species are planted along the block.

e. Street tree spacing allowances may be made to accommodate curb cuts, fire hydrants, and other infrastructure elements.

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f. Street trees must be trimmed such that no part of the tree, other than the trunk, is less than 7 feet in height over a sidewalk/shared-use path (SUP) or 14 feet in height over a street.

g. **Application requirements.** Landscape plans must include the following note if a tree well, or similar feature, is proposed: "A minimum of 750 cubic feet soil volume will be excavated for each street tree and replaced with structural soil or similar performing alternative. Tree wells, or similar features, will provide a minimum clearance of three feet below the bottom of the rootball at planting."

3. **Landscaping of surface parking areas.**

a. Shrubs and large trees must be planted along the perimeters of off-street surface parking areas. Trees must be spaced 40 feet on center and a minimum of 2½ inches caliper at planting, measured 6 inches above the ground. Shrubs must be located along perimeters abutting public roads, a minimum of 24 inches in height when planted, and spaced to form a hedge at maturity.

b. Each parking lot area must provide an evenly distributed minimum tree canopy of 15 percent within 10 years. Trees must be a minimum of 2½ inches caliper at planting, measured 6 inches above the ground. Perimeter trees cannot be used to meet the 15 percent tree canopy requirement.

D. **Lighting.**

1. **General provisions.**

a. **Lighting.** Light levels must not exceed 20 footcandles at the ground anywhere on the site.

b. **Mounting height.** Mounting heights are measured from the ground.

2. **Pedestrian lighting.**

a. Sidewalks and shared-use paths (SUPs) required by section 20C.5 must have pedestrian lighting meeting the following standards:

i. Section 4.17.4.a standards;

ii. Fixtures emitting 1,600 or more maximum initial lumens must be full cutoff;

iii. A minimum footcandle measurement no less than 0.5 footcandles and no more than 3 footcandles along the full length of the improvement;

iv. A minimum average horizontal luminance of 1 footcandle along the full length of the improvement;

v. A white light and color temperature of 3,000 Kelvin or less;

vi. An average/minimum uniformity ratio of 4:1;

vii. A maximum/minimum uniformity ratio of 10:1; and

viii. Luminaire mounting heights provided in Table 17.

Table 17: Pedestrian lighting mounting height requirements by street type

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Street type	Mounting height
Destination Street, Avenue, Local Street [1]	12 feet or 15 feet
Boulevard, Through Corridor	20 feet
Service Street	N/A
[1] Pedestrian lighting must have a consistent mounting height along each frontage of each building.	

b. Both the poles and fixtures of pole-mounted light fixtures must be dark brown, dark bronze, or black.
c. Required pedestrian lighting maintained by the County or other public entity must be metered separately.

3. **Site lighting.**
   a. **Outdoor luminaires.**
      i. Light fixtures must comply with section 4.17.4.
      ii. Fixtures emitting 1,600 or more maximum initial lumens must be full cutoff.
   b. **Color and appearance.** All exterior fixtures must be fitted with lamps with a white light and color temperature of 3,000 Kelvin or less.
   c. **Pole-mounted light fixtures.**
      i. Both the poles and fixtures of pole-mounted light fixtures must be dark brown, dark bronze, or black.
      ii. Freestanding pole-mounted light fixtures must not exceed 20 feet in mounting height except that within 30 feet of any residential zoning district, freestanding pole-mounted light fixtures must not exceed 12 feet in mounting height.
   d. **Decorative lighting.** Decorative lighting must comply with the following standards:
      i. Outdoor light fixtures in the Edge character area must be equipped with automatic timing devices and must remain unlit between 11:00 p.m. and dawn; and
      ii. Light must not project beyond the architectural, landscaping, or site design elements being illuminated.

E. **Modifications.**

1. **Landscaping along streets.** The Agent may grant substitutions or modifications in the location, species, size, quantity, or spacing of required street trees if VDOT standards or the presence of existing overhead or underground utilities, fire hydrants, curb cuts, or other existing features prevent compliance with the standards in this section.
2. **Landscaping of off-street surface parking areas.**
   a. The Agent may grant a reduction or modification to the minimum landscaping requirements for off-street surface parking areas if VDOT standards or the presence of existing overhead or underground utilities or

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utility easements, fire hydrants, curb cuts, or other existing features prevent compliance with the standards in this section.

b. The Agent may grant substitutions and modifications to landscaping requirements for off-street surface parking areas if existing parking lot landscaping meets the intent of this section.

3. **Pedestrian lighting along streets.** The Agent may grant a reduction or modification in the location, spacing, or mounting height of required pedestrian lights if VDOT standards or the presence of existing overhead or underground utilities, existing street or pedestrian lighting, fire hydrants, curb cuts, or other existing features prevent compliance with this section.

(§18-20C.11, Ord. 26-18( ), 11-18-26)

Sec. 20C.12 Affordable Housing.

A. **Purpose.**

The purpose of this section is to ensure that a variety of housing types in the Rio29 FBC overlay district are affordable, in alignment with the Housing Albemarle policy.

B. **Applicability.**

1. For purposes of the Housing Albemarle policy, any development application under the Rio29 FBC is considered a rezoning.
2. Developments of ten or more residential dwelling units are subject to the affordable housing requirements of this section.

C. **General provisions.**

1. Affordable housing requirements may be met by provision of owner-occupied affordable housing, rental affordable housing, or a combination of both.
2. Affordable housing units must:
    a. Be comparable to market rate units in design, quality of exterior appearance, and quality of construction;
    b. Contain features that are functionally equivalent to market rate units in the development, including energy efficiencies; and
    c. Have the same access to and enjoyment of common open spaces, facilities, and amenities as market rate units in the development.
3. The mix of affordable housing unit types must be consistent with the mix of market rate unit types and dispersed proportionally throughout the development.
4. In a phased development, affordable housing units must be delivered proportionally to market rate units within each phase.

D. **Bonus.**

Developments in the Core and Flex character areas may increase the maximum building height by one story, up to 15 feet, if they provide affordable housing units

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exceeding the Housing Albemarle policy requirement by at least five percent. Units must remain affordable in accordance with the Housing Albemarle policy.

E. **Modifications.**

Financing or low-income tax credit restrictions. The requirements of section 20C.12.C.3-4 can be modified by the Director of Housing when the type of financing or low-income tax credit project requires certain placement and types of dwelling units.

F. **Special exceptions.** The mix of affordable housing unit percentages and AMIs required by section 20C.12 may be modified or waived by the Board of Supervisors in accordance with section 20C.2.E.

(§18-20C.12, Ord. 26-18( ), 11-18-26)

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I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on November 18, 2026.

_____
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Gallaway	____	____
Ms. Duncan	____	____
Ms. LaPisto-Kirtley	____	____
Ms. Mallek	____	____
Mr. Missel	____	____
Mr. Pruitt	____	____