CHAPTER 18 - ZONING

ARTICLE III - DISTRICT REGULATIONS

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

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

Sec. 20C.1 Establishment and Administration.

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 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. This code acknowledges the throughway functions of Rt. 29 and Rio Rd. and encourages new construction to support more walkable and bikeable streets offering safe and convenient travel options through connected networks that increase area resiliency and reduce the need and reliance on personal vehicles within the district. Further, the Rio29 FBC is intended to:

   1. Allow development that achieves this vision through an administrative process;
   2. Establish clear expectations for residents, property owners, developers, and the County for new development;
   3. Allow the area to transition over time to meet the vision of the Rio29 Small Area Plan; and
   4. Strike a balance between regulation to achieve the desired form and flexibility to accommodate market changes, attractive design, and a mix of uses.

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 location of required civic spaces, pursuant to section 20C.7.
   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.

Sec. 20C.2 Standards and Procedures.

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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.
    b. Properties that have opted in to the Rio29 FBC may not subsequently develop under the district regulations of the underlying district.

B. **Applicability.**

1. **Installation.** Improvements shown on the site plan must be installed by the developer.
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, waivers, or special exceptions.
3. **Phased development.** The Agent may approve phased development to temporarily exempt existing structures from the requirements of the Rio29 FBC if the area in the proposed development is 15 acres or more.
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.

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

1. All site plans must include the entire lot of record as it existed on September 1, 2021 and any additional land that may have been added to the lot after September 1, 2021.
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 properties] will be subject to the Rio29 FBC.”

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3. All applications must submit all schematics, plans, calculations, drawings, and other information required by the Agent.

D. **Modifications and waivers.**

1. Requests for modifications and waivers pursuant to section 20C must be submitted by the applicant concurrent with the site plan review and must specify the requirement to be modified or waived and justification.
2. Modifications and waivers are subject to approval by the Agent.
3. Agent decisions on modifications and waivers as set forth in sections 20C.5.F, 20C.6.E, 20C.7.G, 20C.8.D, 20C.9.I, 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 of section 32.3.6.b.

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.**

Special exceptions may be granted by the Board of Supervisors for the following:

1. Section 20C.2.B.2. If the area of phased development is less than 15 acres
2. Section 20C.2.C.1. Parcel boundaries on September 1, 2021; and
3. As permitted under sections 20C.5.G, 20.C.6.F, 20C.10.E, and 20C.12.F.

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 parking lot 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 with provisions to access 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

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windows or window bays, horizontal banding, or decorative cornices. Articulation gives 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 article, baked or prepared food and drink, watercraft, and similar items. Artisan manufacturing does not include industrial-scale 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.

Build-to range. "Build-to range" means the minimum and maximum distance from the edge of the primary street(s) right-of-way or outdoor civic space within which a building façade must be located, exclusive of covered porches, balconies, chimneys, eaves, or other architectural projections.

Civic space. "Civic space" means an outdoor or indoor area dedicated to public use that is intended for public gathering, socializing, and recreation, subject to modification by the Zoning Administrator. A civic space qualifies as a park as set forth in Chapter 11 of the Albemarle County Code.

Cultural amenity space. "Cultural amenity space" means a museum, art gallery, or other facility promoting art and culture, 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 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.

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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.

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 required area containing trees and/or other landscaping and located between the paved travelway and the sidewalk or shared-use path (SUP).

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

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, and relaxing.

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, post offices, libraries and other civic institutions, dry cleaning, and sit-down restaurants.

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

Pedestrian passages. "Pedestrian passage" means a pedestrian-only street with provisions to serve local pedestrian traffic safely and conveniently. Pedestrian passages are typically open to the sky but may be located within a building or include canopies and trellises.

Plaza. "Plaza" means an outdoor civic 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,

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social gatherings, organized events, civic gatherings, outdoor learning spaces, pop-up businesses, and passive recreation.

Pocket park. "Pocket park" means a landscaped park 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.

Pollinator garden. “Pollinator garden” is a landscape area designed, managed, and maintained to attract and support pollinating animals. 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 green. "Public green" means a large outdoor civic space including a level, grassy field designed to accommodate recreational functions including but not limited to field sports, relaxing, sitting or strolling, casual gatherings, or organized events.

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 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 which is used or designated for recreation for the purposes of the Rio29 Form-Based Code.

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

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

Sidewalk clear zone. "Sidewalk clear zone" means a contiguous, unobstructed width of sidewalk that allows the safe and convenient passage of pedestrians. Such width must not contain signage, seating, tree grates, tree wells, light poles, or similar obstructions.

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.

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

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

Sec. 20C.4 Character areas.

Establishment of character areas. Character areas organize the district into interconnected and coordinated development patterns. The Rio29 FBC overlay district consists of three character areas: Core, Flex and Edge.

A. **Core.** Core character areas are destination areas within the Rio 29 FBC overlay district centering around Destination Streets. Destination Streets are the foundation of concentrated centers for vibrant social and commercial activity with the highest intensity and most urban forms of development. These areas prioritize pedestrians by encouraging safe and walkable communities and active street life. Buildings create interest and promote activity by accommodating a mix of uses, with ground floors comprised of mostly non-residential uses. Extensive fenestration and taller ceiling heights on ground-floors, street trees, furniture, and lighting enhance the pedestrian experience.
B. **Flex.** Flex character areas accommodate a range of building forms and uses, including dense residential development. These areas support multimodal transportation that allows people to easily walk, bike, and use transit to reach their destination within and outside of the district. These connections are enriched through a network of civic spaces.
C. **Edge.** Edge character areas exhibit less intense development transitioning from the Flex area to existing residential neighborhoods outside the district while minimizing impacts to those neighborhoods. Buildings have lower heights, smaller forms, and include a mixture of uses with an emphasis on neighborhood services.

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.

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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.** Developments with less than 100 feet of street frontage are exempt from meeting block length requirements.

C. **General provisions.**

1. **Street connectivity.** Streets and travelways are subject to section 32.7.2.
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. Ground-floor uses along Destination Streets, exclusive of civic spaces, must be at least 60% non-residential.
    d. Destination Streets may only be located in Core character areas.
    e. A Destination Street cannot cross Boulevards or Through Corridors.
3. **Ownership and maintenance.**
    a. All new streets, other than Service Streets, must be public, unless approved as private, under section 20C.5.F.2.a.
        i. Required street features located along public streets must be dedicated to the County upon demand of the Agent. If a public access easement is provided in a document approved by the County Attorney, such features may be located on private property.
        ii. Private streets and required street features must provide public access through a perpetual easement in a document approved by the County Attorney.
    b. 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 suitable for recordation in the office of the Circuit Court Clerk's Office.

D. **Street locations, classifications and standards.**

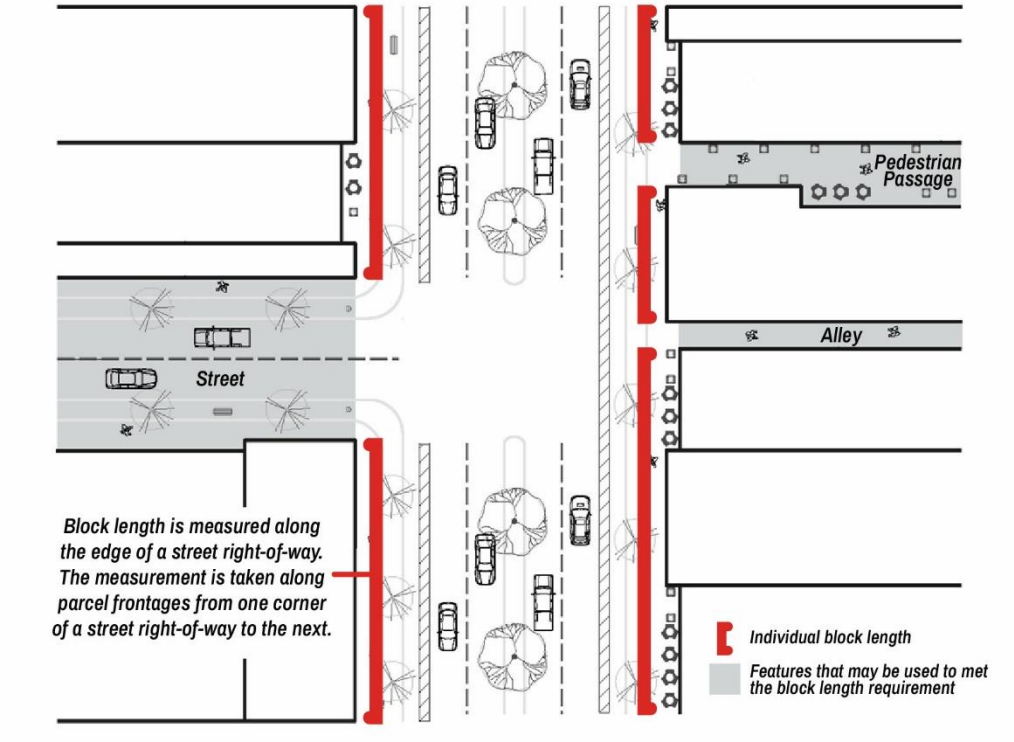
1. **Street locations.**
    a. **Layout.** The Agent, in consultation with VDOT and the property owner or the owner's representative, will determine the location of new streets.
    b. **Block lengths.**
        i. Block lengths cannot exceed 400 feet.

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ii. Civic spaces, pedestrian passages, and alleys that support connections between streets can be used to meet the block length requirement.

iii. The Edge character area is exempt from block length requirements.

Figure 1: Block Length Measurement



2. **Street classifications, typologies and standards.**

a. **Primary street.** The primary street is the highest ranking street abutting a parcel, development, or building per Table 1.

Table 1: Street hierarchy

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

b. **Existing street.** Property owners must develop street frontage along existing streets according to the applicable street typology design standards in Table 2. For streets not assigned a typology in Table 2, the Agent, in consultation

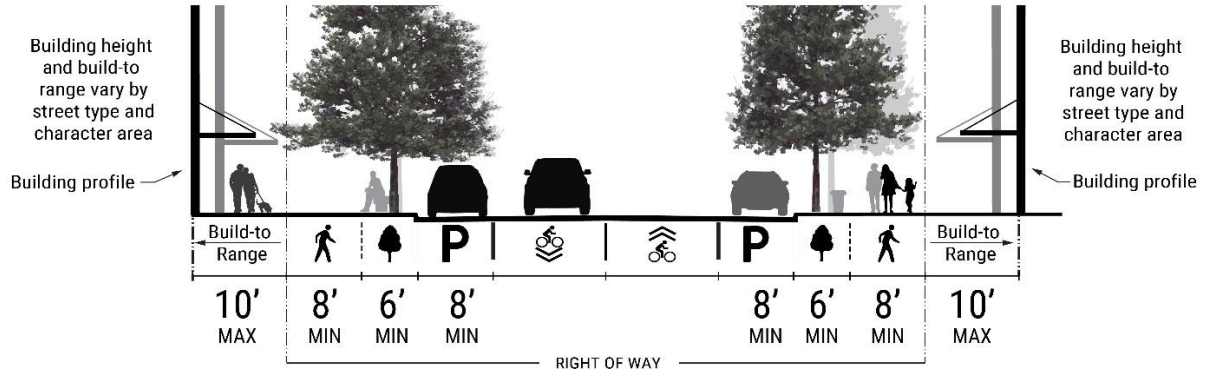
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with VDOT and the property owner or the owner's representative, will determine the typology.

c. **New street.** Any new street must be developed in accordance with a street typology and associated design standards provided in Table 2. The street typology must be determined in collaboration with the Agent and VDOT.

d. **Vehicular travelways.** Lane width and design will be determined in conjunction with VDOT and the Department of Fire Rescue.

Table 2: Design standards by street typology

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  	
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

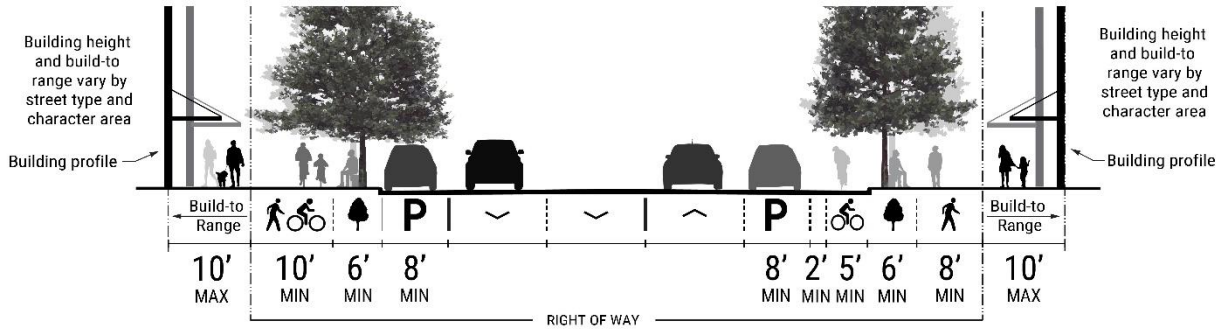
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Avenue

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)	
The type of bicycle facility will be determined by the Agent.	Shared-use path (SUP)	SUPs are as required by VDOT and the Agent to safely accommodate bicyclists.
	Bicycle buffer	2ft
	Bicycle lane	5ft or 4ft with gutter
Landscaped separation zone	6ft	
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	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	

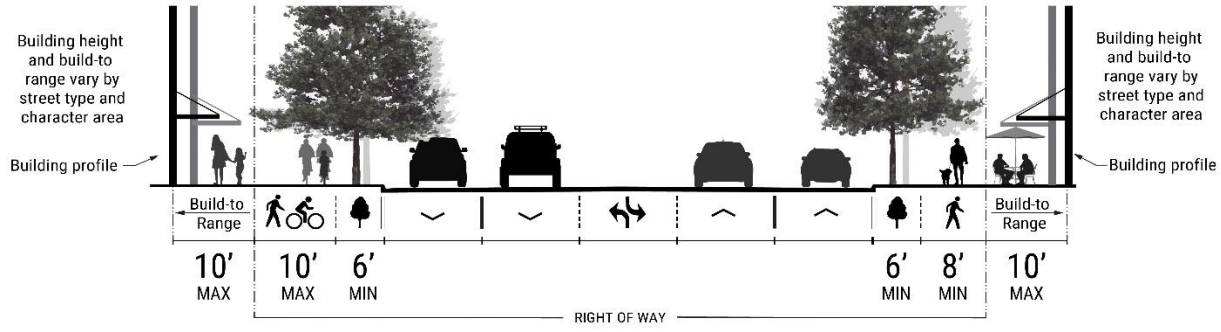
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Boulevard

Intent: Boulevards are wide streets designed to facilitate a high volume of motor vehicle traffic. They typically feature multiple lanes of traffic in each direction, often separated by a center turn lane or median. Higher speed limits (typically 35-40mph) necessitate dedicated off-road facilities for bicyclists to ensure safety. More consideration may be given to the design of building fronts and pedestrian realms along these streets than Through Corridors.

Existing street designations: Rio Road

Illustrative cross-section



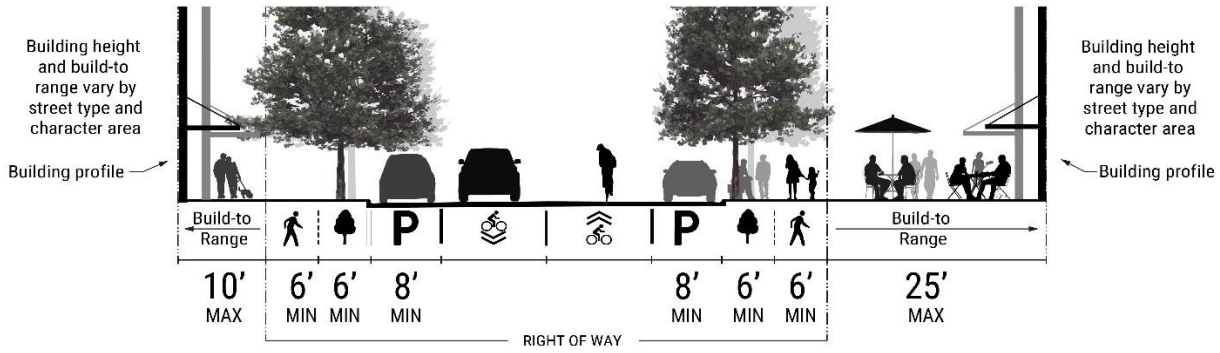
Required street features	
Landscaped separation zone	6ft
Minimum sidewalk width	8ft; Sidewalks are not required when a shared-use path (SUP) is provided.
Shared-use path (SUP)	As required by VDOT and the Agent to safely accommodate bicyclists.
Pedestrian lighting	Refer to section 20C.11
Street trees	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

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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	8ft (optional)
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

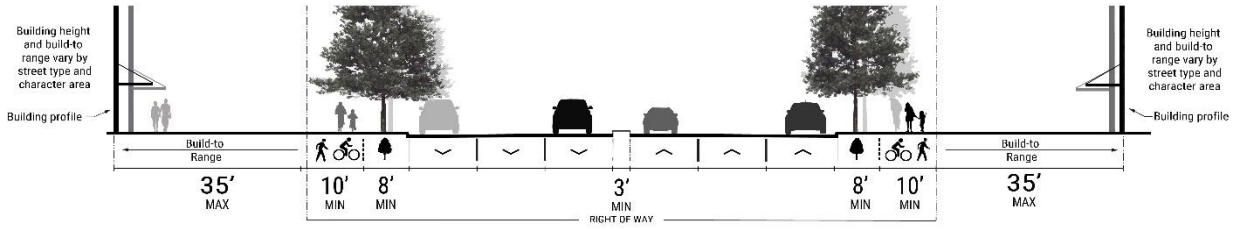
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Through Corridor

Intent: Through Corridors are high-capacity streets designed to facilitate the efficient movement of a variety of transportation modes with minimal obstruction. They usually feature multiple lanes of traffic in each direction, often divided by a median. Higher speed limits (typically 45mph or more) necessitate dedicated off-road facilities for bicyclists to ensure safety. Required street features work together to enable the efficient movement of motor vehicles, bicycles, and pedestrians.

Existing street designations: Route 29

Illustrative cross-section

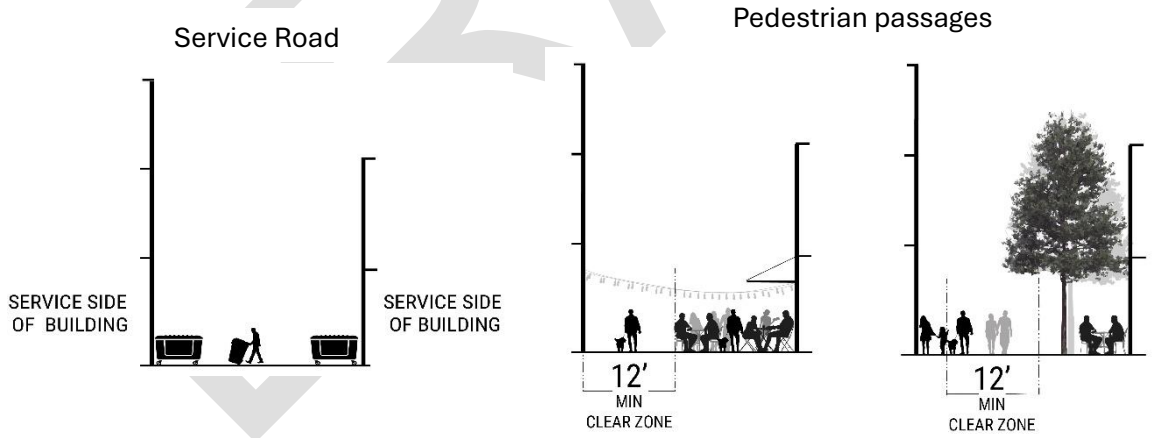


Required street features	
Landscaped separation zone	8ft
Shared-use path (SUP)	10ft
Pedestrian lighting	Refer to section 20C.11
Street trees	Refer to section 20C.11
Transit stops	Enhanced transit stops as required by VDOT and/or the Agent

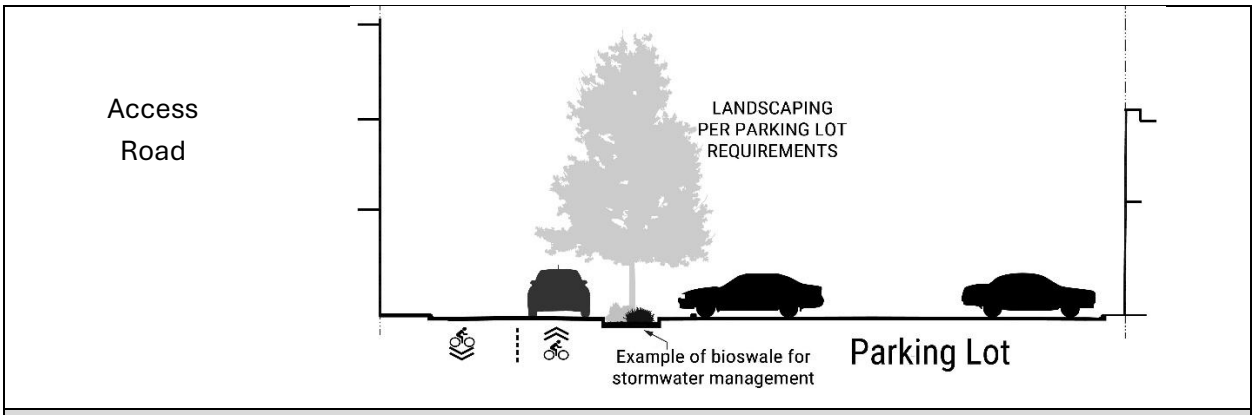
Service Street

Intent: Service Streets, commonly known as service roads and access roads, include pedestrian passages and alleys and 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



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No required street features

E. **General standards for required features.**

1. **On-street parking.** Locations for on-street parking must be determined in collaboration with the Agent and VDOT.
2. **Sidewalk standards.**
    a. Sidewalks must have six-foot horizontal and seven-foot vertical clear zones.
    b. Sidewalks are not required when a shared-use path (SUP) is provided.
3. **Shared-use path (SUPs) standards.**
    a. SUPs must have eight-foot horizontal and seven-foot vertical clear zones.
    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 civic spaces within the general area.
    d. SUPs must be extended and constructed to abutting property lines.
4. **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.

5. **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 standards.
6. **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 following completion of project construction.
        ii. Other streetscape features, such as trash and recycling receptacles, signage, and seating, must not obstruct sidewalks and accessible boarding areas.

F. **Modifications and waivers.**

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 civic space;
    e. To allow future streets to align with existing travelways, private streets, or parcel lines within or adjacent to the site;
    f. To avoid or accommodate existing utilities; or
    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. The Agent may approve an alternative primary street to what would otherwise be required under section 20C.5.D.2.a, if the resulting building and site design meets the purpose and intent of this section.

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c. 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 the Agent.
d. SUPs or cycle tracks with appropriate transitions to adjacent facilities may be provided in lieu of on-street bicycle lanes and buffers if deemed appropriate by the Agent and VDOT. Approved SUPs may fulfill sidewalk requirements, provided individual SUPs have an appropriate width, as determined by the Agent with consideration of the street type and use and nearby facilities.
e. 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.
f. The Agent may grant a modification or waiver 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.
g. The Agent may modify or waive the sidewalk clear zone requirement if the Agent finds that:
    i. The width of the sidewalk is less than six feet;
    ii. Unusual situations or strict adherence to requirements would result in substantial injustice or hardship; or
    iii. 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.
h. The Agent may approve the use of access aisles to meet the block length requirements of section 20C.5.D.1 if:
    i. Required street features for the Local Street typology are provided along at least one side of the access aisle;
    ii. Sidewalks on the access aisle are connected, extended, and coordinated with sidewalks, SUPs, or entrances to civic 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.

G. **Special exceptions.** The following may be modified or waived by the Board of Supervisors in accordance with section 20C.2.E and the following criteria:

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1. Section 20C.5.C.2.a. Development of a Destination Street:
    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. Section 20C.5.C.2.b. Destination Street minimum length requirements:
    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.

Sec. 20C.6 Permitted uses.

A. **Purpose.**

The Rio29 FBC regulates land 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 3. Accessory uses are permitted unless explicitly prohibited in Table 3.

Table 3: 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
Single-family detached dwellings	N	N	N	N
Group homes[2]	P	P	P	P

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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
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

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

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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 3.
    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.
    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.G.3.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. The Agent's 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.b.

E. **Modifications and waivers.**

Finished floor elevation. The Agent may modify or waive the requirement for raised finished floor elevations of multiple-family dwellings, single-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 following may be modified or waived by the Board of Supervisors in accordance with section 20C.2.E:

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

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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.** All developments 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. **Civic spaces shown on the zoning map.** Developments containing civic spaces shown on the zoning map must provide the civic space(s) in the location and as the type of recreation space designated on the zoning map. Developments containing civic spaces 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.** Developments 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. **Landscape plan.** Trees or shrubs in required recreation spaces may be used to meet the requirements of section 20C.11 provided they meet the criteria contained in sections 20C.7 and 20C.11.
5. **Parcels previously developed under the FBC.** Amendments to developments previously approved under the Rio29 FBC that retain conforming recreation spaces are exempt from this section.
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 4.

Table 4: Recreation space requirements by character area

Character area	Minimum percentage of gross acreage dedicated to recreation space	Recreation space type options							
		Public plaza	Pocket park	Public green	Linear park	Pedestrian street	Indoor gathering space	Natural area	Required civic space shown on zoning map
Core	10%	P	P	P	P	P	P	-	R

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Flex	15%	P	P	P	P	P	P	P	R
Edge	15%	P	P	P	P	-	-	P	R
P = Permitted Recreation Space Types R = Required Recreation Space Type									

2. **Ownership.**
    a. Required recreation spaces of one acre or more in size must be dedicated to the County in fee simple.
    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, except as provided for in section 20C.7.G.2.
3. **Maintenance.** In all circumstances involving private maintenance of a 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.
4. **ADA requirements.** Required recreation spaces must meet the minimum accessibility requirements, as described in the American Disabilities Act.
5. **Stormwater facilities.** Stormwater facilities may be collocated with required recreation spaces under the following conditions:
    a. All design requirements of this section are met; and
    b. The stormwater facilities are privately maintained or the stormwater facility is approved by the Agent if the recreation space will be dedicated in fee simple.
6. **Planting standards.** Required trees and shrubs must be selected from the Albemarle County Plant List.
7. **Public art.** Refer to section 20C.6.D.4 for public art requirements and standards.
8. **Timing for Installation.** Recreation space must be completed prior to issuance of 50 percent of the certificates of occupancy for the development.

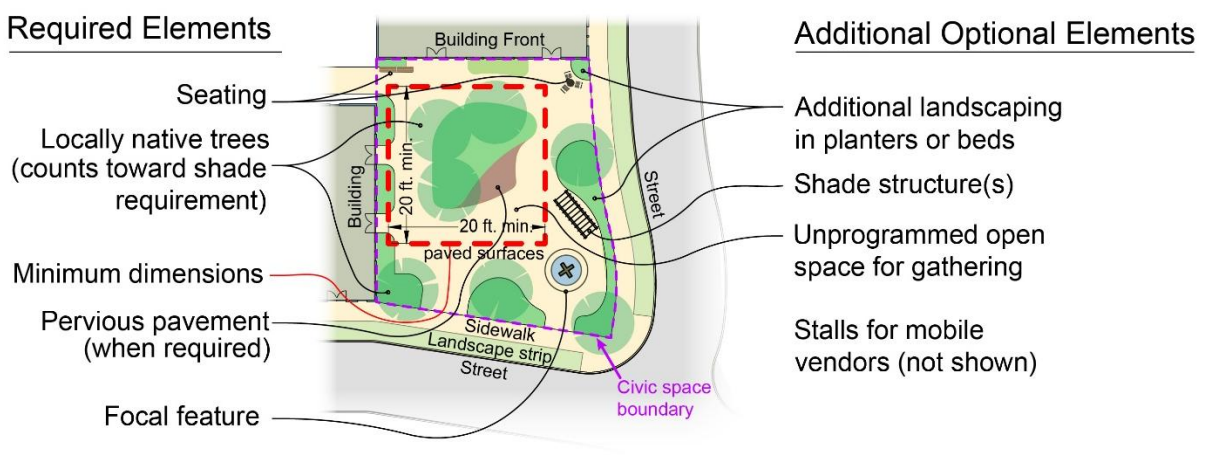
D. **Recreation space standards.**

1. Required recreation spaces developed under the Rio29 FBC must comply with all design standards in Table 5.

Table 5: Recreation Space Design Standards

Recreation space type:	**Public Plaza**
Illustrative diagram	

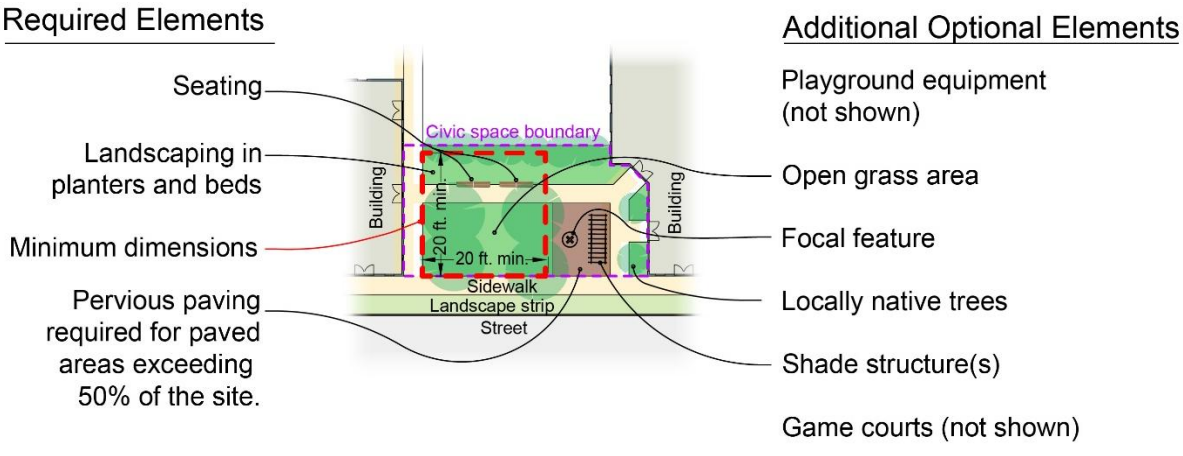
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Required elements	- Seating (such as chairs, benches, tables, and sitting walls) - A focal feature, such as a public art installation or water feature - Locally native trees located to provide shade
Additional elements (At least two types of these 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.

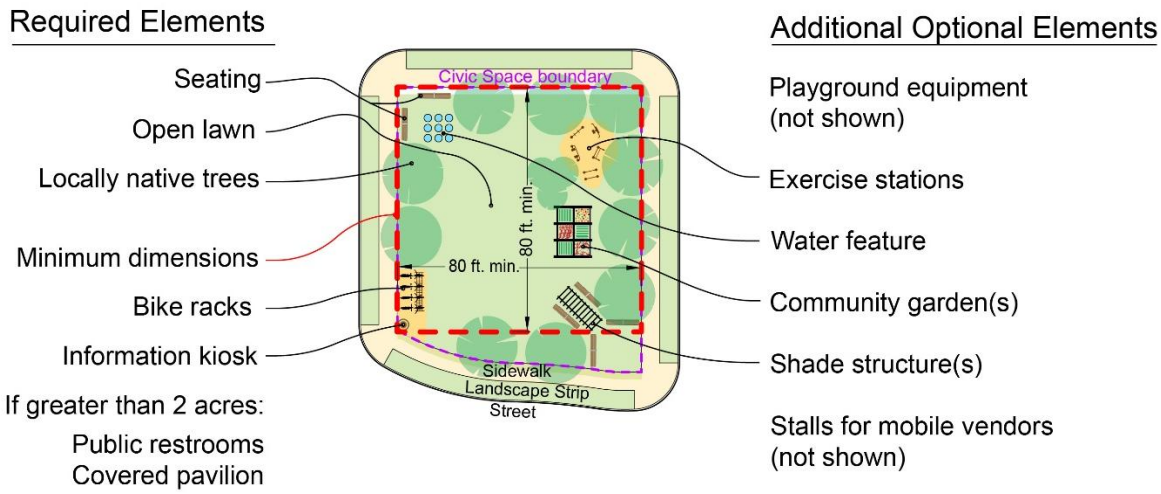
Recreation space type:	**Pocket Park**

Illustrative diagram

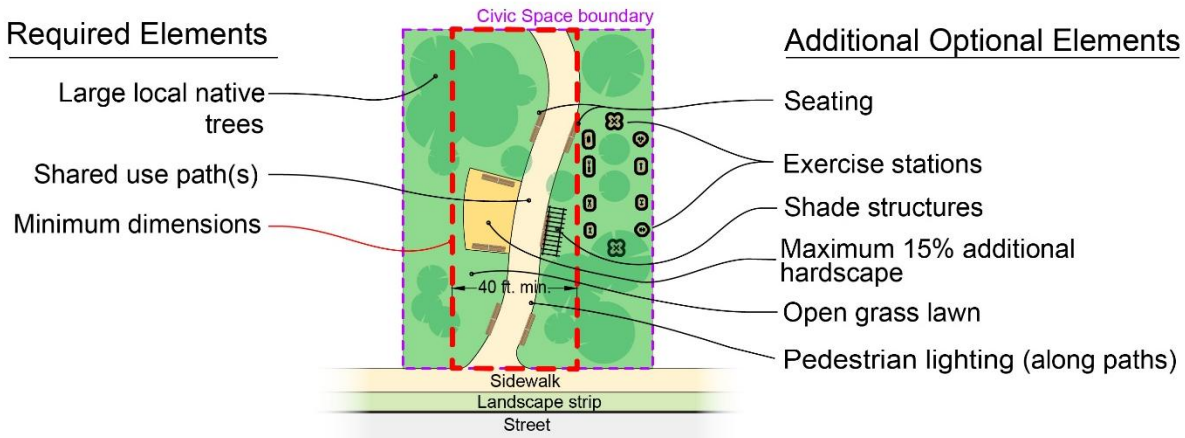


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Required elements	- Seating (such as chairs, benches, tables, and sitting walls) - Landscaping in planters or beds
Additional elements (At least two types of these elements are required)	- A focal feature, such as a public art installation or water 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

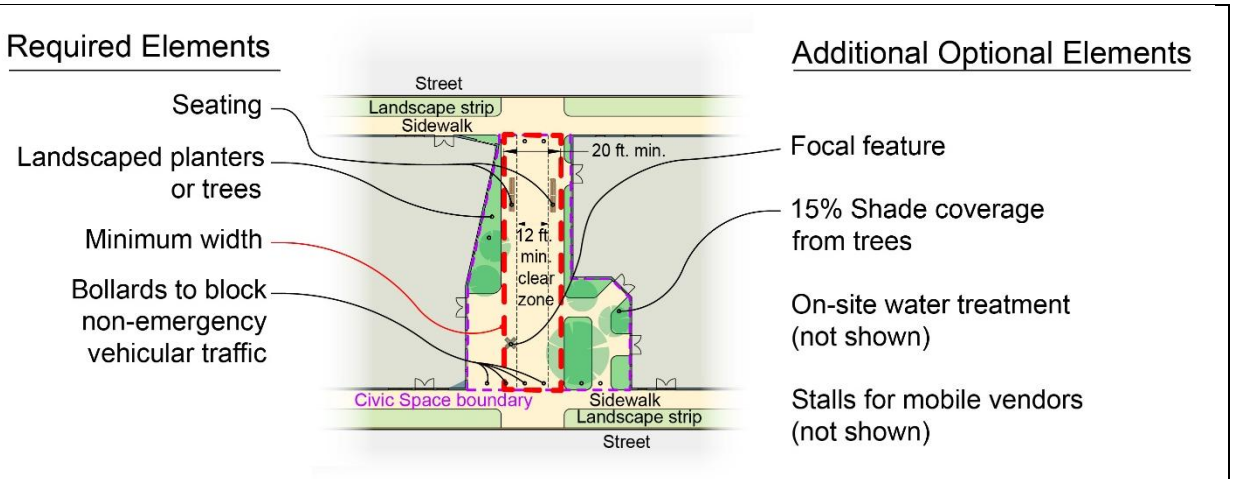
Recreation space type:	**Public Green**
Illustrative diagram	
Required elements	- Open grass lawn for passive or active use - Seating (such as chairs, benches, tables, and sitting walls) - Bike racks - Information kiosk - Locally native trees located around the perimeter with a planting size of at least 2½ inches caliper, measured 6 inches above the ground, and having a maximum average spacing of 35 feet or less - Pavilion, if the public green exceeds 2 acres - Public restrooms, if the public green exceeds 2 acres
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)

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 elements (such as chairs, benches, tables, and sitting walls) - 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 sidewalk, extend to abutting property lines, and coordinate with existing or planned linear park facilities - Maximum of 15% hardscape, excluding SUPs

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

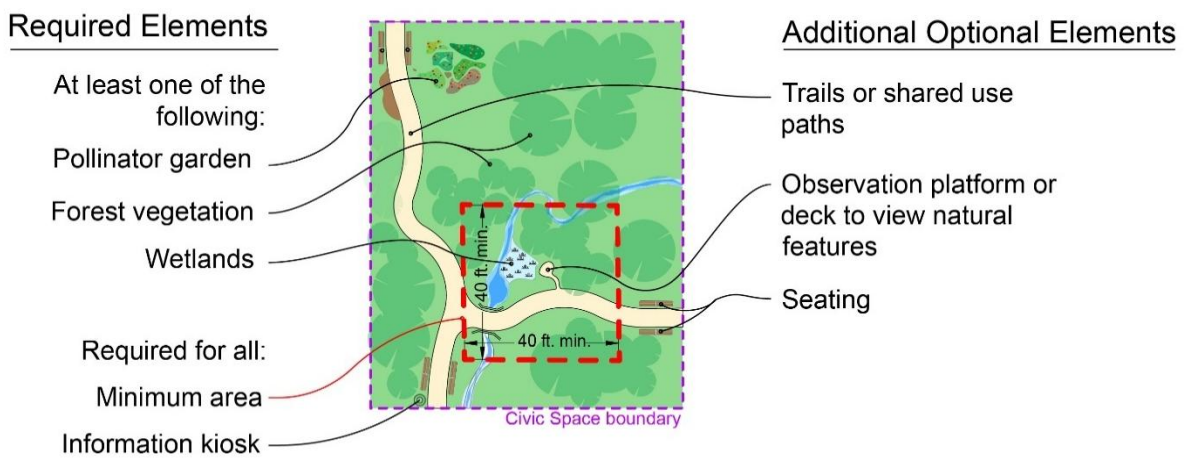
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Required elements	- Seating (such as chairs, benches, tables, and sitting walls) - Bollards or other obstructions to vehicle traffic - Landscaped planters or trees
Additional elements (At least two types of these elements are required)	- A focal feature, such as a public art installation - Provision of shade over a minimum of 15% of the pedestrian passage, provided permanently or at minimum 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/recreation space frontage requirement	- 2 sides minimum
Size	n/a
Minimum dimensions	- 20-foot width
Other design standards	- A 12-foot wide pedestrian clear zone 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.7 can be used to meet the recreation space requirement, provided the requirements of this section are met.

Recreation space type:	**Natural Area**
Illustrative diagram	

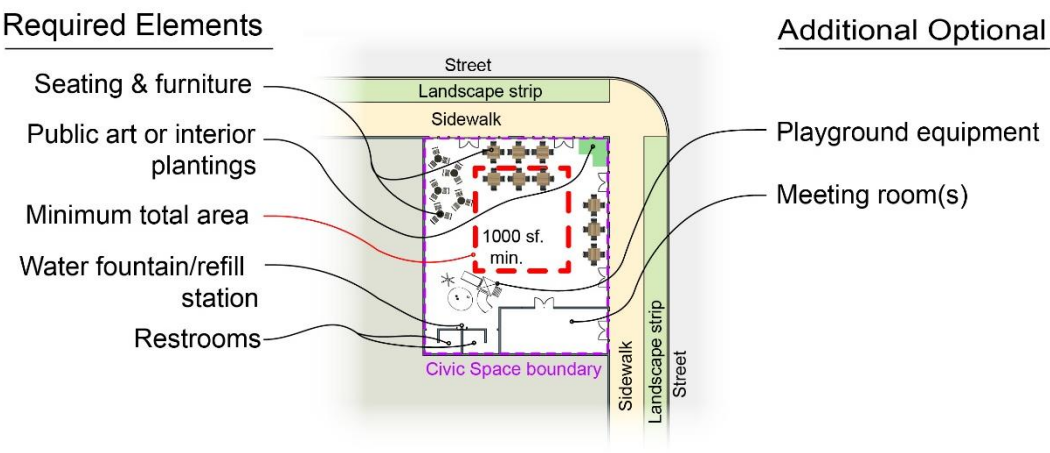
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Required elements	At least 70% of the Natural Areas must be planted and designated on the site plan as at least one of the following: - Forest vegetation meeting the density defined in section 20C.3 - Wetlands - Pollinator gardens Required in all: - Information kiosk
Additional elements (At least two types of these elements are required)	- Trails or shared-use paths (SUP(s) - Seating (such as chairs, benches, tables, and sitting walls) - 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.

Recreation space type:	**Indoor Gathering Space**
Illustrative diagram	

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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	- A welcoming frontage, created by a combination of features including but not limited to lighting, fenestration, entrance dimensions, colors and materials, entrance grade, and signage. - Clearly and visibly open to the public during the required hours, through visible connections to interior space, clear signage, and/or another form approved by the Agent. - If publicly accessible, weddings and receptions are prohibited during required public hours.

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 civic spaces within the Rio29 FBC overlay district.

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.

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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 recreation/civic spaces.
3. Standards for SUPs in section 20C.5.E.3 apply.

G. **Modifications and waivers.**

1. **Civic spaces shown on the zoning map.** The Agent may approve alternative civic space types and locations upon consideration of factors specific to the site and the district, including but not limited to parcel size, civic space size or type, recreational value, environmental benefits, or other planning and design considerations and best practices.
2. **Ownership.**
    a. The Agent may approve dedication to the public via easement, instead of in fee simple, with access to the civic space provided during the following minimum hours:
        i. Outdoor required recreation spaces must be open to the public from at least 7am to sunset;
        ii. Indoor required recreation spaces must be open to the public from at least 9am to 5pm; and
        iii. Any additional hours as determined by the Agent.
    b. The County can agree to own and/or maintain required recreation spaces that would otherwise be private.
3. **Stormwater facility maintenance.** Stormwater facilities may be maintained by the County in accordance with recorded agreements.

Sec. 20C.8 Building form.

A. **Purpose.**

The Rio29 FBC building form requirements help establish an urban form of development that supports vibrant streets and encourages pedestrian activity by creating an appropriate sense of spatial enclosure along the street and emphasizing human-scale in building forms and features.

B. **Applicability.**

1. **New buildings.** All new buildings developed under the Rio29 FBC are subject to this section.
2. **Existing buildings.** Existing buildings are subject to section 20C.8.C.3.
3. **Additions to existing buildings.** Existing buildings not meeting the build-to range requirements listed in Table 7 may only construct additions that increase conformity with the required build-to range.

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C. **General provisions.**

1. **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]	Minimum: 2, except buildings located within 35 feet of a Through Corridor may be 1 story. Maximum: 7, not to exceed 105ft	Minimum: 2, except buildings located within 35 feet of a Through Corridor may be 1 story. Maximum: 5, not to exceed 75ft [2]	Minimum: none Maximum: 3, not to exceed 45ft[2]
[1] Building height is measured pursuant to section 3.1. Definitions, *Building height*. [2] 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[4]	
			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]	0—35 feet	0—10 feet	0—10 feet	0—25 feet
Minimum percentage of primary street frontage occupied by a facade or civic space in the build-to range[3]	50%	75%	60%	33%
Maximum distance between ground story pedestrian entrances along the primary street frontage	n/a	50 feet	75 feet on Avenue or Boulevard, n/a on all other street types	75 feet on Avenue or Boulevard, n/a 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] See Figure 3. [4] A Service Street cannot be a primary street unless it is a pedestrian passage.				

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Figure 2: Building height measurement

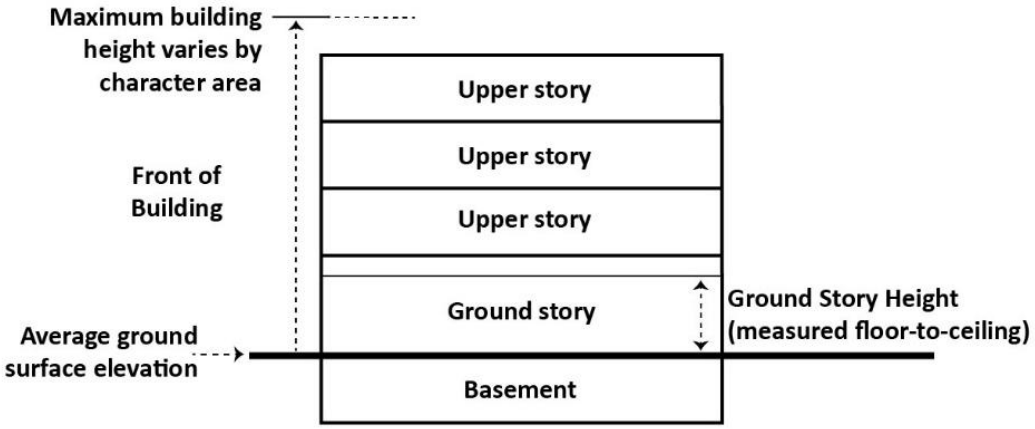
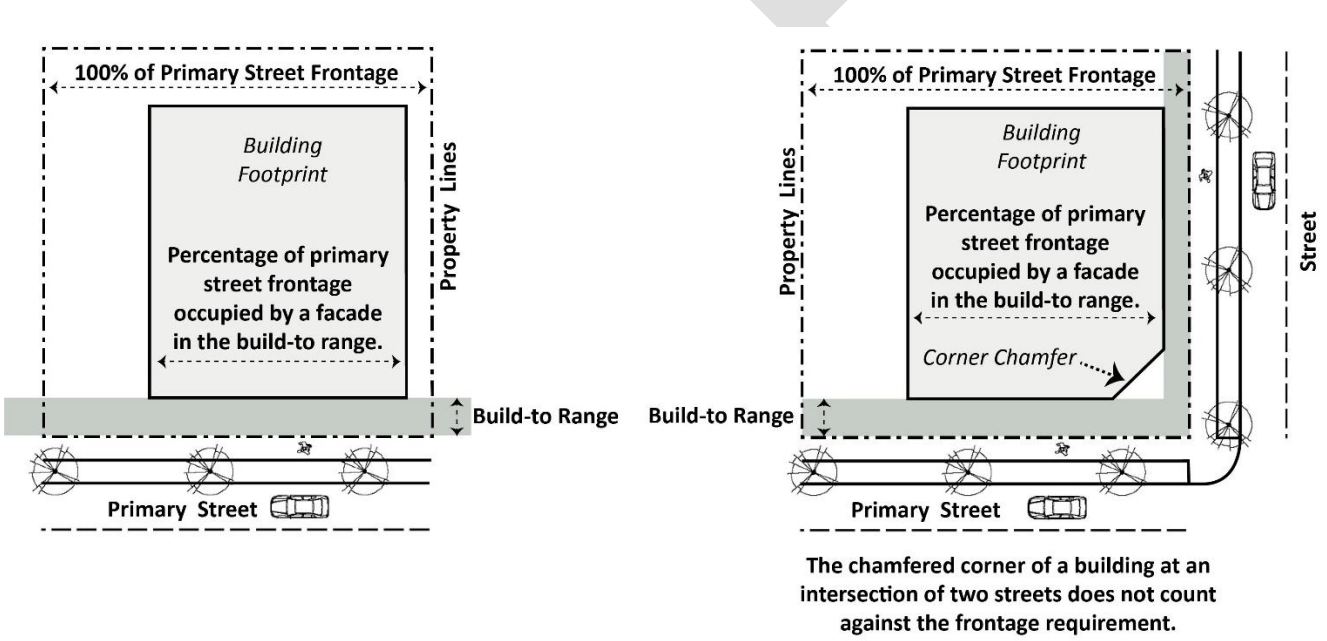


Figure 3: Example illustration of a façade located within the build-to range



2. **Use buffer.** Development abutting a residential or rural district is subject to section 21.7(c), notwithstanding section 32.7.9.7(a).
3. **Building entrances.** Primary building entrances of buildings located within 35 feet of streets must directly face the primary street frontage or an intersection of the primary street, as set forth in section 20C.5.D.2.a, or a civic space.

D. **Modifications and waivers.** 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. **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.
2. **Build-to range.** Modifications to the build-to range requirements may be granted when civic spaces, natural features (such as existing mature trees), terrain, existing utilities, or outdoor seating areas would interfere with the required build-to range.

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. **Developments and uses.** Developments 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.C.4.

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
Off-street	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).				

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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 150% 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. **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.		

D. **Structured parking.**

1. The ground story of structured parking must have non-parking uses for at least two-thirds of the street-facing façade along a Destination Street.
2. 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.
3. Sloped ramps may not be located along the perimeter of a parking structure abutting streets or public civic spaces.

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4. Architectural features or vegetative screens are required to hide parked vehicles and shield lighting.
5. Parking structure façades are exempt from the fenestration requirements of section 20C.10.C.1.

E. **Shared parking.** In addition to the regulations of section 4.12.10, off-site shared parking must be within a distance of 0.1 miles, measured along pedestrian paths, for residential uses, and 0.25 miles, measured along pedestrian paths, for non-residential uses, hotels and lodgings.

F. **Short-term parking.**

1. Short-term parking spaces must be clearly labeled, with maximum loading times of 30 minutes.
2. 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.

G. **Bicycle parking.**

1. **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.
2. **Long-term bicycle parking.**
    a. Long-term bicycle parking must be covered and within an enclosed space limited to residences and employees.
    b. Long-term bicycle parking must be within 100 feet as measured by walking distance from the nearest point of the bicycle parking area to the closest primary entrance of the use served.
3. **Minimum design requirements.**
    a. Bicycle parking systems must:
        i. Allow the locking of both the bicycle frame and at least one wheel, except when bicycles are stored in individually accessed locations or lockers;
        ii. Be designed to not 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.

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b. Bicycle parking areas must:
    i. Be clearly marked as such and separated from auto parking,
    ii. Be constructed of a hard, dust-free 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.

H. **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.

I. **Modifications and waivers.**

1. **Required standard motor vehicle parking spaces and loading spaces.** The Agent may grant the following modifications to standard minimum and maximum required

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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;
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. **Short-term parking.** The Agent may grant modifications and exemptions to the minimum number of short-term parking spaces, provided the applicant demonstrates that the intended use does not generate short-term parking demand.
3. **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.
4. **Structured parking.** The Agent may permit sloped ramps to be located along the perimeter of a parking structure abutting streets or civic spaces provided the resulting structure meets the purpose and intent of this section.
5. **Bicycle parking.** The Agent may grant modifications to bicycle parking standards provided the resulting parking meets the purpose and intent of this section.

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.

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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.
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. Minimum façade fenestration requirements must comply with Table 12.

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

Stories	Destination Street, Avenue, Boulevard, Civic 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. Windows and doors fitted with glass and the supporting mullions, muntins and frames 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 does not count toward minimum 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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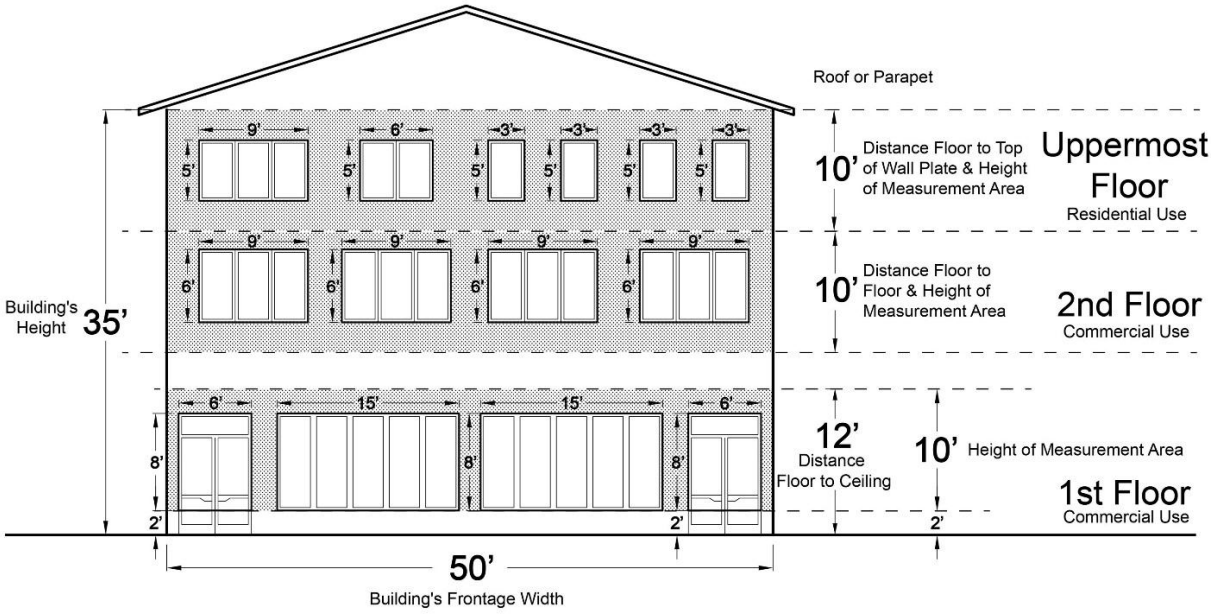
ii. Glass in upper story windows and doors must be transparent and have a visual light transmittance higher than 40% and external visual light reflectance less than 30%.

d. **Application requirements.**

i. Applications must provide the area measurements used for calculating wall area and fenestration, and include a tally of square feet on the site plan to demonstrate compliance with the minimum fenestration requirements. See Figure 10.

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') • Surface area of transparency within the measurement area: 336 sq. ft. • % Minimum required: 60% • % Calculated: 67.2 % (336' ÷ 500')	• Measurement area = 500 sq. ft. • Surface area of transparency within the measurement area: 216 sq. ft. • % Minimum required: 40% • % Calculated: 43.2 %	• Measurement area = 500 sq. ft. • Surface area of transparency within the measurement area: 135 sq. ft. • % Minimum required: 25% • % 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.

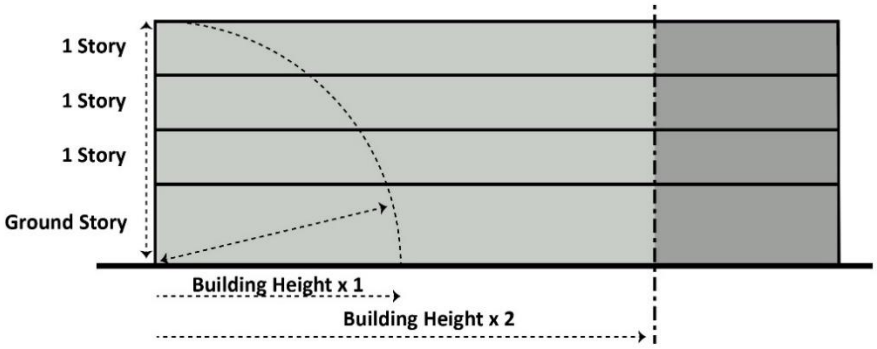
2. **Façade articulation requirements.**

a. **Maximum façade segment length.** The maximum façade length without 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, civic space	2x building height
Pedestrian passageway	1x building height
Service Street (excluding pedestrian passageways)	No maximum

Figure 5: Maximum façade segment length measurement example



No building facades shall be wider that twice the building's overall height without a physical or visual change in the facade's materials or appearance.

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

c. **Permitted screening types.** Screening must consist of plant material, existing vegetation, a slightly opaque wall or fence, 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

		Permitted materials	Prohibited materials
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

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	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	
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.2 for transparency requirements. *Accent materials cannot exceed more than 15% of the façade.			

5. **Signs.**
    a. All signs must conform to section 4.15.
    b. Temporary sidewalk signs cannot be placed in sidewalk clear zones or in street tree wells that are not covered with hard grates.

D. **Modification and waivers. Screening.** The Agent may modify or waive the screening requirement for transformers and telephone or fiber optic risers from view of Destination Streets, Boulevards, Through Corridors, and civic spaces if the Agent finds:

1. Unusual situations or strict adherence to requirements of section 20C.10.C.3 would result in substantial injustice or hardship; or
2. 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 architectural requirements for existing buildings in Section 20C.10 may be modified or waived by the Board of Supervisors in accordance with section 20C.2.E and the following criteria:

1. The existing buildings will be incorporated into a larger development project; or
2. The existing buildings will demonstrate a greater level of conformity with section 20C.10.C than the existing condition.

Sec. 20C.11 Landscaping and Lighting.

A. **Purpose.**

The purpose of this section is to ensure consistency in landscaping and lighting standards for a unifying design aesthetic across the Rio29 FBC overlay district, in addition to those set

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forth in section 32.7.9.1.a-f. The standards of this section promote the orderly development of outdoor spaces that are comfortable, safe, and attractive to pedestrians, patrons, and passersby. Native plants and trees are preferred.

B. **Applicability.**

1. **Landscaping requirements.** All developments under the Rio29 FBC are subject to the landscaping requirements of this section and sections 32.7.9.4.a-c and 32.7.9.9.
2. **Lighting requirements.** All developments under the Rio29 FBC are subject to the lighting requirements of this section.

C. **Landscaping.**

1. **General provisions.**
    a. **Additional planting standards.**
        i. Required trees and shrubs must be selected from the Albemarle County Plant List.
        ii. Each development requiring twenty or more trees must provide at least five different species with no more than 30 percent of one species used.
    b. **Coordination with other requirements.** Trees or shrubs required by this section may be used to meet civic space requirements, 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.**

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a. Street trees are required per Table 15.

Table 15: 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.
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 paths (SUPs) 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 off-street 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

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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.

b. Each parking lot area must provide an evenly distributed minimum tree canopy of 12 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 12 percent tree canopy requirement.

c. Breaks in curbing within parking areas are permitted for the capture and treatment of stormwater runoff.

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 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 16.

Table 16: Pedestrian lighting mounting height requirements by street type

Street type	Mounting height
Destination Street, Avenue, Local Street	15 feet
Boulevard, Through Corridor	20 feet
Service Street	N/A

    b. Both the poles and fixtures of pole-mounted light fixtures must be dark brown, dark bronze, or black.
    c. Required pedestrian lighting along streets maintained by the County must be metered separate from private development.
3. **Site lighting.**

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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.
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 and waivers.**

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 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.

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Sec. 20C.12 Affordable Housing.

A. **Purpose.**

The purpose of this section is to ensure 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 the two.
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 add one story and up to 15 feet to the maximum building height if they provide affordable housing units exceeding the Housing Albemarle policy requirement by at least five percent. Units must remain affordable in accordance with the Housing Albemarle policy.

E. **Modifications and waivers.**

Financing or low-income tax credit restrictions. The requirements of section 20C.12.C.3-4 can be waived 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

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