Albemarle County Planning Commission
Draft Minutes Regular Meeting
September 22, 2026

The Albemarle County Planning Commission held a public meeting on Tuesday, September 22, 2026, at 6:00 p.m.

Members attending were: Luis Carrazana, Chair; Karen Firehock, Vice Chair; Corey Clayborne; Nathan Moore; Lonnie Murray; Mary Katherine King; Catherine Brown.

Members absent: None.

Other officials present were: Michael Barnes, Director of Planning, Francis MacCall, Mariah Gleason, Margaret Maliszewski, Lea Brumfield, Jenny Tevendale, Deputy County Attorney, and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Carrazana established a quorum.

Public Comment on Matters Pending Before the Commission, but Not Listed for a Public Hearing on This Agenda

Neil Williamson, President of the Free Enterprise Forum, said he would share his pencil story, which he had previously shared to the Board of Supervisors many years ago. He said that in the 1990s, the Greene County Planning Department had two people, and it was a relaxed and efficient operation. He said that applications were generally filled out in the office with the planning director, who worked through the paperwork alongside applicants.

Mr. Williamson said that many applicants arrived without an idea, or with an idea of what they wanted to do, but not how. He said that they often came without a writing utensil because they did not know they were going to have to fill out a form. He said that recognizing the need and after losing a number of office pens, someone had come up with the idea to give applicants a planning department pencil to fill out the required paperwork.

Mr. Williamson said that in a moment of brilliance, they had come up with the tagline for the pencil: "Permit us to permit you." He said that those five words summed up the administration's position on planning, zoning, development, and redevelopment. He said that it was as simple as that. He said that this "permit us" philosophy did not suggest staff took an "approve everything" approach. He said that instead, it positioned them as a trusted guide, working with applicants to find legal ways to achieve their goals. He said that this trusted guide method encouraged staff to take ownership of an application.

Mr. Williamson said that too often, at all levels of government, the mantra was that no one ever got fired for saying no. He said that after the meeting where he shared this with the Board, one of the business leaders offered to fund the printing of such pencils. He said that in 2015, he provided these pencils to planners across the region. He said that pencils, when appropriately sharpened, wore out.

Mr. Williamson said he was presenting a pencil to each member of the Commission, as well as to Mr. Barnes, Ms. Tevendale, and Ms. Shaffer. He said that he had boxes for Mr. Svoboda and Mr. McCall to distribute to staff. He said that in addition to being emblazoned with the "permit us" philosophy, each and every pencil was equipped with a very useful implement on the non-sharpened end.

Mr. Williamson said that the eraser would work equally for applicants and staff in those areas where revision was needed. He said that for over 20 years, the Free Enterprise Forum had been proud to work with County staff on public policy direction. He said that he looked forward to continuing their pleasant persistence, pushing the envelope, and sharpening the pencil to make their community a better place.

Consent Agenda

Mr. Clayborne motioned that the Planning Commission adopt the consent agenda. Mr. Moore seconded the motion, which carried unanimously (6-0-1) (Mr. Murray abstained).

Public Hearing

ZTA202400001, ZMA-2026-00007, CPA-2026-00002, TA-2026-00011 Rio29 Form-Based Code

Michael Barnes, Director of Planning, said that this was a major revision to an ordinance that had been started several years ago. He recognized Mariah Gleason, Senior Planner, for leading the effort, and Leah Brumfield, Jenny Tevendale, Bill Fritz, and other staff who had worked on the ordinance. He recognized the other stakeholders who had contributed to the work.

Mr. Barnes said that they had spent extensive time with the Commission during two work sessions. He said that Mr. Clayborne had helped them on aspects of it, as well. He said that the development industry, the architecture industry, and property owners in the area were stakeholders they tried to reach out to. He said it was an effort to create an ordinance that was both flexible and worked to create the vision that they had for the community.

Mariah Gleason, Senior Planner, said the public hearing was the result of two years and many meetings with the development industry and industry professionals, as well as divisions, departments, and partner agencies across the County. She said that Margaret Melchewski and Leah Brumfield were also present, and project consultants Todd Gordon and Joe Cole were also available. She said that Mr. Cole was participating remotely.

Ms. Gleason said that form-based codes were a type of zoning that focused on the size and shape of buildings and the relationships to streets and sidewalks, rather than on land use like traditional zoning districts. She said that the purpose of form-based codes was to create places with a clear identity that felt connected and cohesive. She said that the Rio 29 form-based code was a zoning district to allow by-right, dense, urban development as an optional zoning district for properties within a half mile of the intersection of Rio Road and Route 29. She said that it was the County's first form-based code, and they knew that the development projects would test the effectiveness of it. She said that there had been two development projects approved under the new code, which were highlighted on the map.

Ms. Gleason said that those reviews and additional feedback had helped staff identify where the form-based code could be strengthened to make it clearer, more efficient, and effective. She said that she would review the relationship between the Rio 29 small area plan, the Rio 29 form-based

code, and the Rio 29 overlay district. She said that the Rio 29 small area plan was adopted in 2018 as part of the Comprehensive Plan where it established a 20-year vision for development in the area around the Rio Road and Route 29 intersection.

Ms. Gleason said that in 2021, the County adopted the Rio 29 form-based code into the zoning ordinance and the overlay district map into the zoning map, both as tools to implement the vision of the small area plan. She said that as staff and developers worked with the code, they received a lot of feedback and identified several issues, and staff identified areas of the code that needed clarification and revision. She said that when they started working on updates in 2024, they initially thought the changes were limited to text edits within the form-based code. She said that as they got into it, they realized that more comprehensive changes were needed, including revisions to the overlay district map, the subdivision ordinance, and specific development recommendations that were in the Rio 29 small area plan.

Ms. Gleason said that in January and February of that year, they held work sessions with the Commission, and tonight, they were bringing the proposed changes forward. She said that the applications were scheduled for a public hearing with the Board in November. She said that since the second work session with the Commission in February, staff integrated the comments received from commissioners. She said that they had updated the street cross-sections to align with additional Virginia Department of Transportation (VDOT) standards, updated the build-to ranges to meet building code standards, and added and strengthened requirements in response to the Commission's recommendations for more environmental regulations.

Ms. Gleason said that the ZTA covered amendments to the Rio 29 form-based code and related provisions in the larger zoning ordinance. She said that the ZMA covered amendments to the Rio 29 overlay district map, and the TA covered amendments to the subdivision ordinance needed to support the form-based code. She said the CPA covered updates to the specific development recommendations within the Rio 29 small area plan. She said that these amendments were necessary for alignment across County regulations and documents, the ability to effectively administer the form-based code, and ultimately for consistency in future developments within the Rio 29 district.

Ms. Gleason said that one of the most noticeable changes to the form-based code was its reorganization and reformatting to align with the County's effort to modernize the zoning ordinance by making it more user-friendly. She said that in addition to clear, direct language, related requirements had also been grouped together. She said that subsections within the form-based code were also reordered, reflecting the small area plan's emphasis on streets and recreation spaces and to better align the form-based code with the site plan review process.

Ms. Gleason said that the second change she wanted to highlight was the proposed revision to the character area boundaries within the form-based code overlay district, which was part of the zoning map. She said that the Rio 29 form-based code overlay district was organized into three-character areas, which identified the different levels of development, intensity and activity. She said that the core area was intended to have the highest level of activity and development intensity, acting as the heart and center of the Rio 29 district. She said that flex areas provided greater flexibility in building form and more moderate building heights. She said that edge areas had the lowest development intensity and acted as the transition between dense urban development and the existing single-family neighborhoods on the edges of the district.

Ms. Gleason said that in the feedback staff received, there were many comments about the extent and location of the core area. She said that there were specific concerns about the location of the core area being centered on the intersection of Rio Road and Route 29. She said that both of

those roads were high-volume, high-speed roadways, which was a challenge when trying to establish the type of comfortable, pedestrian-oriented, and safe environment envisioned for the core. She said that there was a tension between the urban design intent of the core and the existing character and function of those major roadways.

Ms. Gleason said that they also heard concerns about the size of the core area. She said that the existing core area, which was about 109 acres, was required to have commercial and retail uses on the ground floors of every building, in addition to other building form and design requirements that were meant to support commercial activity. She said that given the size of the core and the feedback they had received, they believed the implementation of those requirements would dilute instead of concentrate activity and undermine the vision of the small area plan.

Ms. Gleason said that to address the challenges, staff proposed two changes. She said that the first was to shift the core area designation to align with existing shopping centers, such as Rio Hill Shopping Center to the north, Albemarle Square, and Fashion Square Mall. She said that these were areas where a density of commercial activity was already present, and the ownership was not as fractured. She said that this change created a clearer distinction between the two functions. She said that major roadways could continue to accommodate regional transportation through the area, while pedestrian-oriented core areas could focus on creating places where people felt comfortable and wanted to slow down, walk around, explore, and spend time. She said that the proposed map was similar to the square's design alternative that was presented in the Rio 29 small area plan. She said that with that approach, edge areas would stay the same, and parcels that were no longer designated core would be redesignated as flex areas.

Ms. Gleason said that the third aspect she wanted to highlight was the addition of new destination streets as a street type. She said that the street type was introduced as a way to establish concentrated commercial activity centers or destinations within each core area. She said that this allowed more flexibility in the design standards for surrounding areas. She said that a good example of the look and feel of that street type was Bond Street at the Shops at Stonefield. She said that similar to Bond Street, those streets were envisioned to be at least 1,200 feet in length, which was a little less than a quarter mile.

Ms. Gleason said that the fourth change she wanted to highlight was a change to the application of regulations. She said that under the current form-based code, requirements could depend on both the character area and abutting street type, which made it difficult to understand how different regulations worked together on a given site. She said that the revised code development regulations were primarily determined by the abutting street type. She said that this reframing of requirements around street type created a more consistent experience along each street, regardless of where that street crossed character area boundaries. She said that the revised code also introduced a street hierarchy. She said that the street hierarchy worked by designating a primary street for each development or building.

Ms. Gleason said that the result was a more predictable and consistent building form and orientation along those higher-ranking streets. She said that it gave developers more flexibility alongside streets. She said they would pause for discussion.

Ms. King asked for clarification about the core area map. She said that the previous map had four areas, but the current one only had three.

Ms. Gleason said the small area plan highlighted four quadrants. She said that when they looked at where there was already a center of activity and a commercial cluster, there were three areas. She said that the fourth had not been developed yet.

Mr. Barnes said that the larger consolidation of the land in those particular areas probably gave it a better chance of achieving a cohesive design than that southwestern quadrant, which was more fragmented in its ownership. He said that they should have been asking themselves if they could get another one at that intersection. He said that he thought that they could, but they might be starting to push it by seeking to establish three more, as the market might not be willing to accept that many. He said that the shopping centers might stay in its traditional form for some time, which is why they did not push for a fourth one.

Mr. Moore said that he was curious about the logic behind split existing developments and plazas into two different categories and two cases. He said that one was Cobalt Ridge, which was actually part of the flex category located at the southern edge. He said that the other part across Hillsdale was not even in the plan, which was odd since it was one owner for both. He said that another similar location was up by Gardens Boulevard, where it was split between flex and edge categories.

Mr. Barnes said that this project had originally started by trying to fix a few of the elements of the code that were not working for the developers. He said that it had grown, and at a certain point, they had wanted to make sure it did not metastasize.

Ms. Gleason said that the next three topics acted as umbrellas for several related changes. She said that the next point she wanted to highlight was the increased amount of flexibility in the proposed form-based code. She said that they had heard from developers, architects, and designers that greater flexibility would help make the form-based code more attractive. She said that there was particular support for agent-approved modifications, which reduced application costs to developers and allowed site plans to move through the site review process more quickly.

Ms. Gleason said that efficiency within the site planning process was an important benefit to developers, so staff wanted to preserve and strengthen those aspects of the form-based code. She said that in the revised code, there were 22 agent-approved modifications and 14 Board-approved special exceptions. She said that proposed modifications would also allow a property to opt out of the form-based code if construction on the site had not yet begun and the approved site plan expired.

Ms. Gleason said that the sixth point she wanted to highlight was the collective changes that were made to the recreation space requirements. She said that many changes were made to this section, which was discussed in the staff report, but she wanted to focus on the first bullet point, which was about proposed changes to the form-based code overlay district map. She said that in addition to the character areas, the overlay district map identified where certain types of publicly accessible recreation space, referred to on that map as civic spaces, were required.

Ms. Gleason said that several changes had been made in the proposed map. She said that the first change aligned required recreation spaces with known development plans or guidance from Albemarle County's Parks and Recreation Department. She said that the result was the removal of three recreation spaces and the adjustment of the location of two others. She said that the proposed map revised the type of recreation spaces required in those specific locations to align with revised design standards. She said that the proposed map recommended a new linear park along the northern boundary of the Albemarle Square property to connect planned linear parks in that area. She said that the addition was consistent with the recommendations of the small area plan.

Ms. Gleason said that by removing those spaces, they had not removed the requirement for form-based code developments to provide recreation spaces. She said that it gave developers on other

parcels more flexibility regarding the location and type of recreational space that could be provided.

Ms. Gleason said that she wanted to highlight that there were several proposed changes that related to building design. She said that she was going to focus on two: building height and fenestration. She said that the proposed changes aligned permitted building heights within the form-based code with the recommendations from AC44. She said that the comprehensive plan identified the Rio 29 form-based code area as a regional center, recommending building heights between three and eight stories.

Ms. Gleason said that building design requirements were also revised to refine the fenestration requirements. She said that these requirements essentially regulated the amount of windows or openings along the face of a building. She said that the higher the percentage, the higher the amount of openings or fenestration. She said that currently, the fenestration requirements were very general, representing almost a one-size-fits-all approach to buildings within each character area. She said that while the intention may have been for consistency among buildings in the same character area, staff had found that this was creating challenges for developers, particularly for residential developments. She said that the proposed fenestration requirements differentiated between residential and non-residential units and also different street types, allowing greater flexibility in internal space planning and building design.

Ms. Gleason said that there were two errors in the draft code that she would like to point out. She said that the first was a reference to a modification that had since been removed from the ordinance, and they had just forgotten to delete the reference. She said that the second involved a modification intended to allow flexibility for the four housing types listed in the original requirement, and one of those four housing types was unintentionally left out of the modification language. She said that both those items would be corrected before presentation to the Board. She said that the map legend needed to be updated to replace the term civic spaces with recreation spaces, which was the same term that was used in the revised form-based code.

Mr. Murray asked if the fenestration requirements were for true windows, or if they were just design elements that did not actually lead anywhere.

Ms. Gleason said that openings had to meet a transparency requirement. She said that they could not just be spandrel glass that had a black wall behind it. She said that part of making a vibrant mixed-use community was that those facades were engaging.

Mr. Murray said that in the original purpose and intent, there was a line that said, "a place enhanced through conservation with a network of sustainable and usable public spaces that enrich the community and preserve and enhance natural resources." He said that he had noticed that in the new section that covered the purpose and intent, there was nothing like that. He said that there was nothing that referenced sustainability or conservation. He said that he knew that there still were elements of sustainability and conservation throughout the edits. He said that it seemed like that had been dropped from the purpose and intent. He asked what the reasoning behind that was.

Ms. Gleason said she would refer to Attachment 3 in the agenda materials. She said that the language that they had just read was taken from the vision of the Rio 29 small area plan; that was essentially a quote from the plan. She said that when they had gone to revise this to meet the zoning modernization guidelines, the advice that staff had received was that if another document stated it, it did not need to be stated again. She said that instead, they could reference the supporting document, which is what they had done with an included link.

Ms. Gleason said that the revised language they had added was common to all three-character areas in order to provide an integrated pedestrian and bike network, which spoke to the connectivity piece. She said that these included connections to the core areas, publicly accessible recreation spaces, and regional bike paths. She said that bicycle paths were the highest priority. She said that they hoped to integrate that network piece into that portion of it. She said that they could also look at the recreation space's purpose. She said that it did not look like the network piece was explicit in that purpose, but that could be something that they added.

Mr. Murray said that the words "conservation" and "natural resources" occurred in the original document, but they did not occur in the new document.

Ms. Gleason said that would be a good thing to talk about, because part of having those recreation spaces in urban places was not necessarily for conservation, which was the removal of humans from a natural place. She said that it was meant to provide a break and respite in place and function as a balance to dense urban development. She said that she questioned whether they were trying to conserve natural places or whether they were trying to allow the use of them.

Mr. Murray said that was the difference between conservation and preservation. He said that he thought they were thinking of preservation, not conservation. He said that conservation was really conserving the natural resources that they had, including water, air, biodiversity, and so forth. He said that even in an urban environment, conservation was still a viable goal.

Mr. Clayborne asked whether other stakeholders had reviewed the revisions.

Ms. Gleason said that they had published it to the website, and they had sent emails to developers, architects, and designers that they had engaged with previously.

Mr. Clayborne asked what the response had been.

Ms. Gleason said that they were helpful in identifying some of the corrections to the code that they had missed. She said that they had not received any negative feedback.

Mr. Barnes said that there were several rounds of working with stakeholders. He said that he was waiting for the public comment session, but he thought they had done a good job trying to integrate the feedback they had received. He said that there were places where somebody may have wanted more flexibility than they were willing to provide. He said that for the most part, it reflected a strong working relationship.

Mr. Clayborne said his second question was regarding existing buildings. He said that with the amount of building stock that was aiming to be repurposed, he wanted to know if there were ways, they could encourage sustainability or climate responsible within the form-based code.

Ms. Gleason said that when they talked to the Climate Action Program staff, one of the responses they received was that the greenest building was the existing building. She said that there was no waste from the reuse of a building. She said that whether the building functioned optimally was a different question. She said that they had tried to improve its ability to take in existing building stock, knowing particularly that with these, if they desired these big shopping centers to redevelop, they had underlying contracts with companies that had different renewal rates.

Ms. Gleason said that building in a phasing that did not require them to go to the Board of Supervisors was important. She said that they did have certain elements, such as requiring that a primary entrance be oriented a certain way to create consistency along high-priority streets.

She said that in terms of punching walls through for the fenestration, there were allowances for that. She said that if there were renovations that happened after it was approved, there were certain provisions that required further changes to the building to be consistent with the code.

Mr. Clayborne said that there may be an opportunity to look at material usage. He said he wanted to focus on LEED standards and material standards.

Ms. Gleason said that they had looked at that at one point. She said that they had written that if any building pursued LEED standards, they would be willing to accept that. She said that they realized if a building developer wanted to pursue LEED standards, they may not want to do form-based code; it would be easier to just use the underlying zoning district. She said that they had incorporated the roof material LEED credit standards, but LEED standards were not necessarily consistent through time, and the County wanted to maintain consistency and predictability with the ordinance.

Mr. Clayborne said that his comments were more about the spirit of it, not that they should pursue a specific standard.

Mr. Murray said that one of the things they had talked about last time was standards for low-impact development and stormwater, and the possibility of including some sustainable features, particularly things like curb cuts or parking islands. He said that he knew there was some discussion about whether that should be their standard for everything. He said that there could be some opportunities there for some basic things, such as providing curb cuts and Hell strips so that they were not keeping the water out of the landscape areas, which was foolish. He asked if that had been discussed, and if staff had any thoughts on that.

Ms. Gleason said that it was. She said that staff had spoken with industry professionals and evaluated a range of potential regulations. She said that she had also looked at the requirements in other jurisdictions. She said that in the end, staff did not recommend including such provisions in the revised form-based code, largely because they were not consistent with the purpose of the form-based code for dense, urban, or infill development. She said that they required high engineering or maintenance costs that would have made development difficult under the form-based code, or because a broader application of those requirements across the County would have been more effective.

Ms. Gleason said that curb cuts were not recommended because of the cost required to design those elements, and they required backup systems for heavy storm events. She said that green roofs required more expensive materials and reinforcement mechanisms. She said that in terms of on-street stormwater provisions, the streets were owned and maintained by VDOT, which did not typically agree to maintain those enhanced features. She said that the County would be responsible for that maintenance, and they did not currently have a program to do that.

Ms. Firehock said that the form-based code now mentioned green vegetated rooftops, green walls, and also showed a bioswale in one of the street sections.

Ms. Brown said she had questions about the parking requirements. She said that all three of those shopping areas had massive parking lots that were underutilized and had been underutilized since they were constructed. She said that it seemed like redevelopment was the right time to change the parking requirements, because the build-out of those parking lots was wasted area.

Ms. Brown said that it was creating excess runoff and heat. She said that it seemed like one of the more obvious things to reconsider, along with the number of required spaces. She said that a

minimum canopy coverage or other natural feature requirement to reduce the heat island effect and help absorb runoff would be helpful. She said that she did not want to see these types of parking lots to continue.

Mr. Murray said that there was a part where the number of trees was changed to a percentage calculation. He said that they could provide flexibility between installing trees or biofilters, which could be just as valuable as trees.

Mr. Barnes said that the intent was not to discourage any of that. He said that the major thing they were trying to do was redevelop the parking lots into a more dense format. He said that there were tree canopy requirements for parking lots. He said that if something was good for the County, it should be something that happened as part of the zoning modification and should apply across the board. He said that implementing innovative and specialized requirements for the form-based district that did not apply to other ones disincentivized using the district. He said that as they went through updating phase three of the zoning modification, they were discussing new regulations. He said that was where they needed to ensure it was applicable to other districts.

Ms. Firehock said that in terms of parking lot design, the standard was moving more toward canopy cover rather than a number of trees, so that it gave more opportunity to be creative with how the parking lot was laid out. She said that it provided the same effect, but with more flexibility. She said that she had made a comment in the document that there was a recommendation in the zoning code for a parking maximum.

Ms. Firehock said that while it was good to have a maximum, the maximum was too generous, which was 150% of the parking that was required. She said that the industry standard was more like 125%. She said that she would prefer a 125% regulation, not 150%.

Ms. King asked if they would move to form-based codes for the other activity centers.

Mr. Barnes said that they would definitely be investigating that. He said that under the new zoning ordinance, this would be a great district for people who were trying to redevelop in some of the denser areas of the regional activity centers. He said that this would be something they could replicate through the activity center process, though there may be a need for other districts.

Mr. Carrazana said that there were a lot of elements related to conservation already in the proposal, but they should consider explicitly mentioning the term, as Mr. Murray mentioned.

Ms. Firehock said that the regulations had become much greener as they developed the district. She said that earlier versions conceptualized much more hardscaping and large, open plazas. She said that more green pockets had been incorporated, which made these areas much more desirable.

Mr. Murray said that one of the nice features was the cash-in-lieu option, which he thought provided flexibility that would allow the County to build larger parks.

Ms. Brown said that in a conversation with a City planner, she learned that the City was frantically rolling back some of the form-based code. She said that some parts had caused a lot of issues in the City due to recent developments. She said that the allowed exceptions had enabled developers to build right to the curb, and the expectation that the code would increase green space had not materialized. She said she would encourage County staff to seek the advice of City staff to address any potential issues.

Mr. Barnes said they had certainly learned some lessons from the City.

Ms. Gleason said that most of the roads were in the entrance corridor overlay district, where street trees were part of the entrance corridor guidelines. She said that they worked closely with the ARB. She said that street trees could not be waived, unless they conflicted with VDOT requirements, curb cuts, or similar things. She said that street trees were required with all of the streets, and they were included as part of the right-of-way.

Mr. Murray said that they needed to establish a tree commission, similar to what the City had done. He said that a group of advisors could provide guidance to ensure that trees were not just planted but also survived.

Mr. Moore asked why the term "civic spaces" had been changed to "recreational spaces". He said that the definition of civic spaces previously included recreation, and he was wondering what was lost by changing the language.

Ms. Gleason said that the change was more a reflection of the ownership of the spaces rather than a change in the use of those spaces. She said that one of the primary changes in the recreation spaces was that the current form-based code had required all of them to be publicly owned. She said that to do that would have meant about 60 dispersed and small public spaces. She said that developers wanted to retain some control over those spaces. She said that was when they switched to the fact that these could be both publicly and privately owned. She said that they would focus public ownership on the larger sites or the required sites in the zoning map. She said that for the smaller lots, they would allow those to be privately maintained with public access. She said it may be confusing to call spaces "civic spaces" when they were privately owned.

Mr. Barnes said that they were trying to strike a balance between maintaining some green space while not letting it completely become a dense urban form. He said they also had to acknowledge the County's capacity to take in many small lots.

Mr. Moore asked what incentives were included that would make the proposed form-based code more effective than the previous version.

Mr. Barnes said that one incentive remained the same, which was being able to go straight to a site plan, and flexibility remained another one. He said that another one was the flexibility to implement development phasing.

Mr. Moore asked what incentives they were not able to include, such as things requested by developers that the County was not able to provide.

Mr. Barnes said that one incentive they could not provide was the infrastructure needed to support development. He said that if they wanted to require less parking, they needed to provide alternative modes of transit so people could access the developments. He said that the County was working in that direction.

Mr. Moore said that they could invest public funds into public goods and spaces to help kickstart development. He said that the courthouse was an example of a missed opportunity. He said that the County could act as a public developer to get this going. He said that investment of public resources could help encourage the investment of private resources, but currently, they were only waiting for the private investment.

Ms. Firehock said that the County should consider investing resources in public goods, such as through public facilities that would attract people to the area. She said that the installation of sidewalks, street trees, furniture, trash cans, and other amenities could help revitalize areas and encourage private investment in the area.

Mr. Carrazana said there were plenty of examples throughout the country where that had happened successfully.

Mr. Murray said that it was worth noting there were some funding mechanisms they were not using, such as transportation impact fees that they could adopt as a County. He said that these could provide much-needed funding for some of those things that they had found very difficult to fund. He said that he did not know if they were exploring all the ways of raising revenue for transportation needs and other infrastructure that the public had been asking for.

Mr. Carrazana opened the hearing for comments from the public.

Valeria Long, Williams Mullen, said that she had been involved in the early beginnings of the Rio form-based code, and her law firm represented one of the three large owners of land in the proposed core area. She said that they had spent a lot of time working with the various drafts that had been released over the last few years and providing a lot of feedback. She said that there had been several improvements, but there were still a lot of challenges.

Ms. Long said that in her opinion, this was really designed for an ideal world where there was a single owner of one of the large areas. She said that they did not have that luxury because Belk owned its building, the old JC Penney building was under different ownership and was leased to the County, the parcels were all unusually shaped, and unfortunately, there was not going to be a single new developer for the residue of the mall property. She said that they had been working closely with multiple prospective purchasers and developers of the property and pieces of it.

Ms. Long said that they were finding the proposals challenging. She said that there were some new exceptions and flexibility provisions that they had advocated strongly for, but they were still not sufficiently flexible to actually provide an incentive. She said that they had spent a lot of time trying to help clients decide if she should use the form-based code or not. She said that she had concerns about the destination street requirements, the non-residential ground floor requirements, and the lack of flexibility in these aspects. She said that they also had not addressed the increased parking requirements for non-residential uses, such as for hotels. She encouraged more flexibility in those parking requirements.

Neil Williamson, Free Enterprise Forum, said that there had been significant improvements to the form-based code, and he supported the fact that it was an optional overlay. He said that he took some exception to the idea of adaptive reuse of strip malls. He said that he understood there might be some short-term environmental impacts, but he thought that those impacts would be overshadowed by the improvement of the built community.

Mr. Williamson said that he was concerned about the fenestration requirements, which addressed form over function. He said that he hoped there would be flexibility regarding fenestration requirements, and banks were a good example of uses that needed exceptions. He said that he supported the potential for development phasing, and he hoped that the phasing could take place over years. He said that the County should consider structured parking requirements. He said that there was a lack of public investment, which could help spark the private development. He said that relocating County services to one of the corridors would be helpful.

Mr. Carrazana noted there was no one else wishing to speak, so he closed the public hearing and brought the matter back before the Commission.

Mr. Carrazana said that structured parking would offer many benefits, and University of Virginia (UVA) had taken this route when it performed master planning for new areas.

Ms. Firehock said that the City of Staunton had designed and built parking decks with very beautiful facades that blended with the surrounding architecture. She said that those parking decks then spurred the development of downtown Staunton, which allowed the city to recoup its investment through tax revenue.

Mr. Murray asked for clarification about the increased parking requirements that were mentioned.

Ms. Gleason said that the parking requirements were lower than the standard parking requirements in the larger zoning ordinance, but they were raised. She said that after reviewing the parking requirements for Arlington County, Columbia Pike, and Virginia Beach, they all had higher requirements in their form-based codes than what the County had. She said that those localities already had great public transit and walkability. She said that the County was at a transformational stage that did not have the same level of service, and they wanted to establish something that was realistically ambitious.

Ms. Gleason said that regarding the residential requirements, state code had been recently updated to require a higher minimum threshold than the current parking space requirement. She said that they aligned with the state code due to limitations on what the County could require.

Ms. Brown said that since developers may have a better sense of the parking demands, it may make sense to provide more flexibility. She said that if developers requested fewer spaces, it would become their own problem to address.

Ms. Gleason said they had a modification so developers could provide less, or mor, parking, but it required staff review and approval. She said that the modification required a needs study in alignment with the typical process.

Mr. Barnes said they were trying to establish a clear set of rules and regulations while providing some flexibility. He said that they would work hard to provide answers as quickly as possible to address developer requests and concerns.

Mr. Murray said that one of the first activity centers they were going to be looking at would be close to the airport. He said that people flying in would not need dedicated parking, so that was something to consider.

Ms. King asked for a summary of what the process would be like for a potential real estate buyer who wanted to consider modifications. She asked what the timeline would look like.

Mr. Barnes said that another aspect to consider was when in the process the request happened. He said that an answer would need to take into account the type of development, where it would be located, and what the surrounding parking and transit context looked like. He said that if they were in the site plan process, the modification would typically come as a written request as part of the initial package. He said that they would hope to be able to provide an answer by the second or third round of review.

Ms. Gleason said that whenever they received interest in the form-based code, staff always offered meetings to review the plans, discuss the requirements, and provide a cursory review before submittal. She said that the first step typically involved a pre-application meeting with staff.

Ms. Gleason said that she hoped that they were identifying the red flags as they saw them come in. She said that in terms of processing modifications, all the modifications could be submitted at the time the initial site plan was submitted, as long as they had enough information to confirm that it met the criteria. She said that they were also looking at building a user guide for developers to help demystify the process. She said that as part of the rollout, they were looking to meet with developers, and they had scheduled a meeting with the Urban Land Institute to promote the form-based code.

Mr. Barnes said that these questions told him they needed to develop clear procedures for the waivers.

Ms. King said that having a graphical representation of the process would be helpful.

Ms. Firehock said that she had sent staff several line edits, but she did not think it was worth reviewing them during the meeting. She said she had also sent these edits to the other commissioners. She said that none of the edits were dramatic or incredibly pertinent.

Mr. Moore motioned that the Planning Commission recommend approval of ZTA-2024-00001, ZMA-2026-00007, CPA-2026-00002, TA-2026-00011 Rio 29 Form Based Code. Ms. Firehock seconded the motion, which carried unanimously (7-0).

Committee Reports

Mr. Murray said that the Crozet Community Advisory Committee (CAC) met. He said that students visited for community service hours. He said that they discussed the Crozet master plan in different sections regarding achievable priorities and what was necessary to do so.

Ms. Firehock said that the Fifth and Avon CAC met and received a presentation from Rivanna Water and Sewer Authority (RWSA), which went into a high level of detail regarding the water treatment processes. She said that she learned about their program for testing tap water.

Review of Board of Supervisors Meeting: September 16, 2026

Mr. Barnes said that two items were heard for public hearing. He said that the first one was the Beaver Creek pump station fill in the floodplain application, and the Board approved it unanimously. He said that the Rivanna Futures ZMA application to reclassify preserved slopes as steep slopes also passed unanimously.

Mr. Barnes said that staff provided an update on the Charlottesville Albemarle Regional Transit Authority (CARTA) effort. He said that the idea behind the CARTA effort was to see if there was a possibility of building a regional transit system or some hybrid thereof. He said that 10 years prior, they had received state authority to form CARTA. He said that the study they were doing involved taking a whole host of various studies that had been done on transit over the past five to eight years and putting them together.

Mr. Barnes said that the goal was to generate a list of improvements that might be paid for if they were to go back to the state and ask for taxing authority to tax the region to support CARTA. He said that he expected they would have capacity to implement the improvements by 2030, but that

may change. He said they planned to wrap up these efforts by the end of the year, and the presentation to the Board was an update on the current efforts. He said a joint meeting was scheduled with the City and County on October 6.

New Business

There was none.

Old Business

There was none.

Items for Follow-Up

There were none.

Adjournment

At 7:45 p.m., the Commission adjourned to October 13, 2026, Albemarle County Planning Commission meeting, 6:00 p.m.

Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to the Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date:
Initials: