

Sec. 14-232 - When private streets in rural areas may be authorized.



A private street may be authorized in the rural areas under the following circumstances, provided that the findings required by [section 14-234\(C\)](#) are made:

A. *By the commission.* The commission may authorize a subdivision to be developed with one or more new private streets only under any of the following circumstances:

1. *To alleviate significant degradation to the environment.* One or more private streets may be authorized if: (i) the property is within either the rural areas (RA) or village residential (VR) zoning districts; (ii) the private streets will alleviate a clearly demonstrable likelihood of significant degradation to the environment of the property or any land adjacent thereto resulting from the construction of a public street in the same alignment; (iii) no alternative public street alignment is available which would alleviate significant degradation of the environment; (iv) no more lots are proposed on the private streets than could be created on a public street due to right-of-way dedication; and (v) the proposed private streets demonstrably promote sensitivity toward the natural characteristics of the land and encourages the subdivision of land in a manner that is consistent and harmonious with surrounding development. The term "significant degradation" means either:
 - (a) The total volume of grading for construction of a public street would be 30 percent or more than that of a private street in the same alignment, based upon profiles, typical sections, earthwork computations, and other information deemed necessary by the county engineer, submitted by the subdivider and reviewed by the county engineer; or
 - (b) Environmental impacts including, but not limited to, erosion and sedimentation, stormwater runoff, surface water pollution, loss of tree cover and/or the loss of indigenous vegetation resulting from a public street, which would be substantially greater than that of a private street in the same alignment, based upon evidence submitted by the subdivider and reviewed by the county engineer and other qualified staff.
2. The lots will be used for non-residential or non-agricultural purposes.
3. *General welfare.* One or more private streets may be authorized if the general welfare, as opposed to the proprietary interest of the subdivider, would be better served by the construction of one or more private streets than by the construction of public streets.

B. *By the agent.* The agent may authorize the following subdivisions to be developed with one or more new private streets or shared driveways:

1. A family subdivision.
2. A two-lot subdivision if the division contains only two lots and the private street will serve only those lots and will be the sole and direct means of access to a public street.

(8-28-74; § 18-36, 9-5-96; § 14-232, Ord. 98-A(1), 8-5-98; Ord. [05-14\(1\)](#), 4-20-05, effective 6-20-05)

State Law reference— Va. Code § [15.2-2242\(3\)](#).

Sec. 14-233 - When private streets in development areas may be authorized.

