Sec. 14-410 Standards for all streets and alleys.

The following minimum design standards shall apply to all streets and alleys within a subdivision:

A. *Layout.* Each street shall be configured, to the extent practicable, to conform to the natural topography, to minimize the disturbance of steep slopes and natural drainage areas, and to provide vehicular and pedestrian interconnections within the subdivision and existing or future development on adjoining lands, as provided in section 14-409.

B. *Angle of intersection.* An angle of intersection of not less than 80 degrees is acceptable; however, a perpendicular intersection, where practical, is preferred. The county engineer may grant an exception to this requirement for a private street in accord with American Association of State Highway and Transportation Officials guidelines.

C. *Temporary turnarounds.* Streets more than 300 feet in length from an intersection, or proposed to serve more than four dwelling units that terminate temporarily shall be provided with a temporary turnaround meeting American Association of State Highway and Transportation Officials guidelines. The temporary turnaround shall be extended to the abutting property line unless a waiver is granted as provided in section 14-409(D). The temporary turnaround shall exist until the street extensions are accepted into the secondary system of state highways.

D. *Alleys.* Alleys with a right-of-way or easement width of not less than 20 feet may be provided in the rear or side of all commercial, industrial, and residential lots. The design specifications shall be determined by the county engineer, subject to the following: (i) the alley design shall allow emergency services vehicles such as police cars and ambulances to use the alley; and (ii) an alley need not be designed to accommodate the largest emergency services vehicles, except that if firetrucks do not have adequate access to one or more lots from a street, the county engineer shall require that the alley be designed to accommodate firetrucks. The agent may authorize an alley to be established with a right-of-way or easement width of less than 20 feet if the county engineer determines that the proposed design incorporates features that assure public safety and welfare. The county engineer shall consider the provision of adequate access to required onsite parking and/or garages, unimpeded vehicular circulation along the alley, an adequate clear zone along the alley, and other safety issues deemed appropriate for the conditions. Alley rights-of-way may either be established as privately held fee simple interests or as privately held easements.

E. *Reserved or spite strips.* Reserved or spite strips restricting access from adjoining lands to an existing or future street or alley shall not be permitted; provided that nothing herein shall prohibit areas for scenic planting and landscaping where adequate access to the adjoining lands is otherwise available.

F. *Principal means of access to subdivision.* The principal means of access to a subdivision shall be either a public street or a private street. The principal means of access shall conform, in the case of a public street, to Virginia Department of Transportation standards, or, in the case of a private street, to the standards of the county as set forth in section 14-412, throughout the street's length, including any distance between the boundary of the subdivision and any existing public street. If discharge water of a 25-year storm could be reasonably anticipated to inundate, block, destroy or otherwise obstruct a principal means of access to a residential subdivision, the following shall also apply:

   1. The principal means of access shall be designed and constructed so as to provide unobstructed access at the time of flooding; and/or

   2. An alternative means of access which is not subject to inundation, blockage, destruction or obstruction, and which is accessible from each lot within the subdivision shall be constructed.

G. *Drainage.* Adequate drainage control shall be provided for streets by installing culverts under streets; side, lead, or outlet ditches; catch basins; curb inlets; or any other devices, including piping, as determined to be

necessary by the county engineer. All of these improvements shall meet the standards of the county or, in the event no county standards exist, Virginia Department of Transportation standards.

H. *Curb, curb and gutter, sidewalks and planting strips.* In the development areas, streets shall be constructed with curb or curb and gutter, sidewalks and planting strips. Sidewalks and planting strips shall designed and constructed in compliance with section 14-422.

I. *Variation of or exception to requirement for curb or curb and gutter*. The requirement for curb or curb and gutter may be varied or excepted by the commission as provided in section 14-203.1. A request for a variation or exception may be made prior to or with submittal of a preliminary plat or with an application to rezone the land, as follows:

1. *Information to be submitted.* If such a request is made, it shall include: (i) a justification for the request; (ii) a vicinity map showing a larger street network at a scale no smaller than one inch equals 600 feet; (iii) a conceptual plan at a scale no smaller than one inch equals 200 feet showing surveyed boundaries of the property; (iv) topography of the property at five-foot intervals for the property being subdivided and on abutting lands to a distance of 500 feet from the boundary line or a lesser distance determined to be sufficient by the agent; (v) the locations of streams, stream buffers, steep slopes, floodplains, known wetlands; (vi) the proposed layout of streets and lots, unit types, uses, and location of parking, as applicable; and (vii) the maximum number of lots to be served by the rural cross-section street, the location of the nearest development and rural area boundaries, and a cross-section of existing streets to which the proposed subdivision streets would be extended, if any.

2. *Consideration*. In reviewing a request for a variation or exception under section 14-203.1 to allow a rural cross-section (no curb and no curb and gutter) instead, the commission shall consider: (i) the number of lots in the subdivision and the types of lots to be served; (ii) the length of the street; (iii) whether the proposed street(s) or street extension connects into an existing system of streets constructed to a rural cross-section; (iv) the proximity of the subdivision and the street to the boundaries of the development and rural areas; (v) whether the street terminates in the neighborhood or at the edge of the development area or is otherwise expected to provide interconnections to abutting lands; (vi) whether a rural cross-section in the development areas furthers the goals of the comprehensive plan, with particular emphasis on the neighborhood model and the applicable neighborhood master plan; (vii) whether the use of a rural cross-section would enable a different principle of the neighborhood model to be more fully implemented; and (viii) whether the proposed density of the subdivision is consistent with the density recommended in the land use plan section of the comprehensive plan.

((§ 18-37: 8-28-74; 3-29-78; 11-2(1)179; 9-5-96)(§ 18-39 (part): 8-28-74; 5-10-77; 10-19-77; 9-5-96); §§ 18-37, 18-39; § 14-512, Ord. 98-A(1), 8-5-98; Ord. 02-14(1), 2-6-02, § 14-410, Ord. 05-14(1), 4-20-05, effective 6-20-05; Ord. 13-14(1), 12-4-13, effective 1-1-14; Ord. 14-14(2), 3-5-14)

State law reference(s)—Va. Code §§ 15.2-2241(4), 15.2-2242(1), 15.2-2242(3).

Sec. 14-411 Standards for public streets only.

In addition to the minimum design requirements set forth set forth in section 14-410, all public streets within a subdivision shall be designed and constructed according to Virginia Department of Transportation standards.

For all public streets to be coordinated and extended as provided in section 14-409, the agent may allow a public street to be constructed at less than the ultimate pavement width, provided the street meets public street standards for the lots to be served by the streets. In determining whether to require the ultimate pavement width, the agent shall be guided by the size of the subdivision, the street length and the types of lots to be served relative to the cost of providing the ultimate width.

((§ 14-511: § 5, 8-28-74; 5-10-77; 10-19-77; § 18-38, 9-5-96; § 14-511, Ord. 98-A(1), 8-5-98)(§ 14-513: 8-28-74; 5-10-77; 10-19-77; § 18-39, 9-5-96; § 14-513, Ord. 98-A(1), 8-5-98) §§ 14-511, 14-513; § 14-411, Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference(s)—Va. Code § 15.2-2241(4).

Sec. 14-412 Standards for private streets only.

In addition to the minimum design requirements set forth in section 14-410, the following minimum design requirements shall apply to private streets authorized by this chapter:

A. *Residential private streets*. Each private street serving detached residential uses authorized under sections 14-232 or 14-233 shall satisfy the following:

1. ***Streets serving two lots.*** Each private street serving two lots: (i) shall not exceed a 16 percent grade calculated over a distance of 50 feet; (ii) shall have a travelway that is at least ten feet in width; and (iii) shall include a rectangular zone superjacent to the driveway that is clear of all obstructions, including any structures and vegetation, that is at least ten feet in width and 14 feet in height. The subdivider shall demonstrate to the satisfaction of the county engineer that the street will meet the requirements of this subsection.

2. ***Streets serving three to five lots.*** Each private street serving three to five lots shall satisfy the following: (i) vertical centerline curvature shall meet a minimum design K value of five for crest curves and 15 for sag curves; (ii) sight distances shall not be less than 100 feet; (iii) turnarounds shall be provided at the end of each street per American Association of State Highway and Transportation Officials guidelines; (iv) street easements or right-of-way widths shall be 30 feet minimum; and (v) the radius for horizontal curvature shall be 40 feet or greater, unless otherwise authorized by this chapter. Any standard in this paragraph (2) may be reduced to the standard for streets serving two lots where a driveway departs from the street and two lots remain to be served, and a turnaround is provided. In addition, the following shall also apply:

   (a) *Private streets in the rural areas*. For such private streets in the rural areas: (i) travelway widths shall be 14 feet minimum, with three feet minimum shoulder widths, and a minimum of four feet from the edge of the shoulder to the ditch centerline; (ii) the grade shall not exceed 16 percent calculated over a distance 50 feet; (iii) if the grade of any portion of the street exceeds seven percent, the entire street shall be surfaced as required by Virginia Department of Transportation standards; streets having a grade of seven percent or less may have a gravel surface; and (iv) the street shall have a rectangular zone superjacent to the street that is clear of all obstructions, including any structures and vegetation, that is at least 14 feet in width and 14 feet in height.

   (b) ***Private streets in the development areas*****.** For such private streets in the development areas: (i) an urban cross-section street design shall be provided, with a minimum width of 20 feet measured from the curb faces or such alternative design, including a street easement or right-of-way width, deemed adequate by the county engineer to be equivalent to or greater than the applicable standard in the design standards manual, so as to adequately protect the public health, safety or welfare; additional widths shall be provided for gutters to control drainage at the discretion of the county engineer; and (ii) the entire street shall be surfaced as required by Virginia Department of Transportation standards.

3. ***Streets serving six lots or more****.* Each private street serving six or more lots shall satisfy Virginia Department of Transportation standards, provided:

   (a) *Private streets in the rural areas*. For such private streets in the rural areas, the commission may approve Virginia Department of Transportation standards for mountainous terrain if the

subdivider demonstrates, for a specific, identifiable reason, the general welfare, as opposed to the proprietary interests of the subdivider, would be better served by the application of those standards.

(b) *Private streets in the development areas*. For such private streets in the development areas, the agent may approve Virginia Department of Transportation standards for mountainous terrain or an alternative standard deemed adequate by the county engineer to be equivalent to or greater than the applicable standard in the design standards manual, so as to adequately protect the public health, safety or welfare.

4. *Streets serving family subdivisions*. Each private street authorized to serve a family subdivision under section 14-232(B)(1) shall satisfy the following: (i) easement or right-of-way widths shall be ten feet minimum; and (ii) the surveyor shall include the following wording on the plat: "The existing and/or proposed right-of-way is of adequate width and horizontal and vertical alignment to accommodate a travelway passable by ordinary passenger vehicles in all but temporary extreme weather conditions, together with area adequate for maintenance of the travelway, as required by section 14-412 of the Albemarle County Code."

B. *Private streets serving non-residential, non-agricultural, attached residential, multi-unit residential and combined residential and non-residential uses.* Each private street authorized to serve non-residential, non-agricultural, attached residential, multi-unit residential and combined residential and non-residential uses under sections 14-232 or 14-233 shall satisfy Virginia Department of Transportation standards or an alternative standard deemed adequate by the agent, upon the recommendation of the county engineer, to be equivalent to or greater than the applicable standard in the design standards manual, so as to adequately protect the public health, safety or welfare. The agent may require minimum travelway widths to provide for on-street parking upon a determination that the provisions for off-street parking may be inadequate to reasonably preclude unauthorized on-street parking.

C. *Clearing land for improvements.* A private street constructed to Virginia Department of Transportation standards shall not be subject to that department's clear zone requirements.

D. *Landscaping and other improvements permitted.* Subsequent to construction of a private street, a subdivider may install ornamental plantings and any other improvements provided that they do not conflict with sight distance, drainage facilities or other required improvements.

E. *Variation or exception.* The standards of sections 14-412(A)(1)(i) and 14-412(A)(2)(a) relating to street easement or right-of-way widths may be varied or excepted by the agent as provided in section 14-203.1, as follows:

1. *Variation of or exception to section 14-412(A)(1)(i)*. The agent, with the recommendation of the county engineer and the fire marshal, may vary or except the standard in section 14-412(A)(1)(i) and authorize a street having a grade that exceeds 16 percent if the subdivider demonstrates to the satisfaction of the county engineer and the fire marshal that public safety vehicles would be able to access each lot even though the grade may exceed 16 percent. In developing their recommendation to the agent, the county engineer and the fire marshal shall consider: (i) the length of the segment of the street that would exceed 16 percent; and (ii) whether the segment that would exceed 16 percent would require the public safety vehicle to travel uphill towards each lot. In authorizing such a grade, the agent may impose reasonable conditions to ensure that the public safety vehicles may access the lot including, but not limited to, a condition limiting the maximum length any segment of the driveway may exceed 16 percent.

2. *Variation of or exception to section 14-412(A)(2)(a)*. In reviewing a request for a variation or exception for a lesser street easement or right-of-way width under section 14-412(A)(2)(a), the agent shall consider whether: (i) the subdivision will be served by an existing easement or right-of-way of fixed width that cannot be widened by the subdivider after documented good faith effort to acquire

additional width; and (ii) the existing easement or right-of-way width is adequate to accommodate the required travelway and its maintenance. If the variation or exception pertains to minimum street easement or right-of-way widths over an existing bridge, dam or other structure, the agent shall consider whether: (i) the long-term environmental impacts resulting from not widening the bridge, dam or other structure outweigh complying with the minimum width requirements, as determined by the county engineer; or (ii) whether the bridge, dam or other structure is a historical structure.

F. *Eligibility for future acceptance into the system of state highways*. Any and all streets that are not constructed to meet the standards necessary for inclusion in the system of state highways shall be privately maintained and shall not be eligible for acceptance into the system of state highways unless improved to current Virginia Department of Transportation standards with funds other than those appropriated by the General Assembly and allocated by the Commonwealth Transportation Board.

((§ 18-36: 8-28-74; § 18-36, 9-5-96)(§ 18-37; 8-28-74(part), 3-29-78; 11-2(1)179; § 18-37, 9-5-96); §§ 18-36, 18-37; § 14-514, Ord. 98-A(1), 8-5-98; Ord. 02-14(1), 2-6-02; § 14-412, Ord. 05-14(1), 4-20-05, effective 6-20-05; Ord. 09-14(2), 10-14-09; Ord. 13-14(1), 12-4-13, effective 1-1-14)

State law reference(s)—Va. Code §§ 15.2-2242(3), 15.2-2242(1), 33.1-72.2.