ORDINANCE NO. 26-14 (__)

AN ORDINANCE TO AMEND CHAPTER 14, SUBDIVISION OF LAND, ARTICLE II, ADMINISTRATION AND PROCEDURE, DIVISION 5, PROCEDURES FOR THE APPROVAL OF PRIVATE STREETS, SHARED DRIVEWAYS AND ALLEYS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia that Chapter 14, Subdivision of Land, Article II, Administration and Procedure, Division 5, Procedures for the Approval of Private Streets, Shared Driveway and Alleys is hereby reordained and amended as follows:

By Amending:

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

CHAPTER 14: SUBDIVISION OF LAND

. . .

ARTICLE II—ADMINISTRATION AND PROCEDURE

. . .

DIVISION 5—PROCEDURES FOR THE APPROVAL OF PRIVATE STREETS, SHARED DRIVEWAYS AND ALLEYS

. . .

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

A private street may be authorized in the development 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 in the following circumstances:
    1. *Neighborhood model development*. The proposed private street(s) would enable the principles of the neighborhood model to be more fully implemented than could be achieved with a public street, without diminishing other principles of the neighborhood model, in the following circumstances: (i) the subdivision would have a streetscape more consistent with the neighborhood model; (ii) the subdivision design would allow it to better achieve the density goals of the comprehensive plan; (iii) rear vehicular access to buildings would be provided so that the buildings may face a common amenity; (iv) a significant environmental resource would be protected; or (v) relegated parking would be provided to a greater extent than could otherwise be provided.

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2. *Two-lot subdivision*. The proposed private street(s) would be within a two-lot subdivision.
3. *General welfare*. 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 one or more new private streets in the following circumstances:

1. *Subdivision containing attached dwelling units or non-residential uses*. The proposed private street(s) would be in a subdivision containing attached dwelling units or non-residential uses where the units, groups of units, or non-residential uses are to be located on individual lots.
2. *Family subdivisions*. The proposed private street(s) would be within a family subdivision.
3. *Form-Based Code.* The proposed private street(s) would be located in the Rio29 Form-Based Code overlay district and developed in accordance with County Code 18-20C.5.

(Ord. 05-14(1), 4-20-05, effective 6-20-05; Ord. 26-14( ), 11-18-26)

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

_____
Clerk, Board of County Supervisors

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

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