

GROWTH MANAGEMENT DRAFT ORDINANCE REVISIONS

02.04.2026

Private Lanes

1. Sec. 86-13 – Definitions

Term: *Private lane*

Current:

Private lane.

An access way for residential use serving less than three lots which is within a 50-foot deeded right-of-way or easement and built to the design standards in subsection 86-567(11). Private lanes are restricted as to the hours of access by the public or by those who may use it and are maintained by the property owners association or by the lot or parcel owners who are afforded access to their lots or parcels by such private lanes.

Proposed Amendment:

Private lane.

An access way for residential use serving less than three lots which is within a 50-foot deeded right-of-way or easement and built to the design standards in subsection 86-567(11). Private lanes are restricted as to the hours of access by the public or by those who may use it and are maintained by the property owner's association or by the lot or parcel owners who are afforded access to their lots or parcels by such private lanes.

Private lanes shall not be permitted to serve any new lot created by subdivision, division, or other land division approved after the effective date of this ordinance, except as otherwise expressly allowed by this chapter.

2. Sec. 86-567 – Lot Requirements / Access

Subsection addressing private lanes

Current

(11) *Private lanes.*

Private lanes. Lots accessed by roads in subdivisions of less than three lots can be accessed by private lanes which do not meet VDOT subdivision street standards and are approved by the agent. Lots in subdivisions of less than three lots must have the minimum frontage requirements on a deeded access way or easement which is owned by the property owners association or developer or by the lot or parcel owners who are afforded access to their lots or parcels by such private lanes of such subdivision. A maximum of two separate private lanes shall be permitted in a subdivision. All plats describing lots served by private lanes shall include language found in

subsections [86-587](#)(10) g.1—3. Subdivision roads serving less than three lots shall be approved by the zoning administrator and shall meet the following minimum standards:

Proposed Amendment:

(11) Private lanes.

Private lanes, where permitted, shall be designed, constructed, and maintained in accordance with the standards set forth in this section.

Private lanes shall not be designed and installed as a means of access for any lot after the (effective date of this ordinance).

Divisions

1. Sec. 86-13 – Definitions

Term: *Division, parcel*

Current:

Division, parcel. To divide a parent parcel into no more than two additional parts for the purpose of transfer of ownership or building development. Lots shall be divided from parent tracts, or the residue parcel that remains after a prior one-lot division, so long as such residue parcel has five or more acres or a minimum of 300 feet of existing state road frontage. For clarity, it is the specific intent of this provision to allow a maximum of three total lots, including the residual parcel, to be created from any parent parcel by division, if any. Divisions are not subject to the provisions set forth in the subdivision ordinance except for subsection [86-567\(11\)](#), private lanes. However, similar to the requirements of [section 86-587](#), a lot created by division shall be required to include provisions for the dedication of right-of-way when the property is adjacent to a state road that is less than 50 feet in width; provided that, this requirement does not apply to a residual portion of the parent tract that is five or more acres or has a minimum of 300 feet of existing state road frontage.

Proposed Amendment

Division, parcel.

To divide a parent parcel into no more than two additional parts for the purpose of transfer of ownership or building development.

Divisions are not subject to the provisions set forth in the subdivision ordinance, **except for applicable access and frontage requirements.**

Lots created by division shall front on a public street and shall not rely on private lanes for access.

Effective (date of adoption), wherever the term “division” is used throughout this ordinance, shall mean “subdivision” and meet all requirements for subdivisions outlined in the regulations.

****Related code sections that address or reference divisions of property will also be drafted for inclusion in a final amendment.****

Family Subdivision

1. Section 86-13 Definitions

Current

Family subdivision. Pursuant to Code of Virginia, §§ 15.2-2244(C) and 15.2-2244.2, means splitting any tract, parcel or lot of land, within the agricultural (A-1), agricultural (A-2), residential limited (R-1), or residential general (R-2) zoning districts, into two or more parts for the purpose of sale or gift to a member of the immediate family of the property owner or the beneficiary of a trust that owns the property, subject to the requirements of [section 86-531](#) of this Code. See "immediate family" definition.

Proposed

Family subdivision. Pursuant to Code of Virginia, §§ 15.2-2244(C), 15.2-2244.1 and 15.2-2244.2, means splitting any tract, parcel or lot of land, within the agricultural (A-1), agricultural (A-2), residential limited (R-1), or residential general (R-2) zoning districts, into two or more parts for the purpose of sale or gift to a member of the immediate family of the property owner or the beneficiary of a trust that owns the property, subject to the requirements of [section 86-531](#) of this Code. See "immediate family" definition.

2. Sec. 86-531(a)(4) – Retention Period

Family Subdivisions (Standard Ownership)

Current Code

(4) Each such division shall remain in the name of the qualified family member for a minimum of **five (5) years** from the date of recordation, unless the lot is the subject of an involuntary transfer such as foreclosure, death, divorce, judicial sale, condemnation or bankruptcy.

Proposed Amendment

(4) Each such division shall remain in the name of the qualified family member for a minimum of **fifteen (15) years** from the date of recordation, unless the lot is the subject of an involuntary transfer such as foreclosure, death, divorce, judicial sale, condemnation or bankruptcy.

3. Sec. 86-531(a) – Ownership Requirement Prior to Eligibility

New Requirement

Current

No minimum ownership period is required prior to approval of a family subdivision.

Proposed Amendment

Minimum ownership requirement.

A family subdivision shall be permitted only where the parent parcel has been owned by the applicant for a continuous period of **fifteen (15) years** prior to submission of a family subdivision application.

Ownership shall be demonstrated by deed records. Periods of ownership by a trust established for estate-planning purposes shall be considered continuous ownership.

Item	Current Code	Proposed
Ownership before subdivision	None	15 years
Retention after recordation	5 years	15 years
Trust subdivisions	15 years	No change
Exceptions	Involuntary transfers	No change

Road Frontage Requirements – A-1 and A-2 Districts

1. Sec. 86-139 (A-1) and Sec. 86-157 (A-2)

Frontage; minimum lot width

Current Code (Applies Countywide to Both A-1 and A-2)

Only two lots with a minimum of 200 feet of road frontage shall be allowed on existing state roads or federal highways per parent parcel.

Otherwise, the minimum lot frontage on existing state roads or federal highways shall be 300 feet.

Proposed Amendment

(Applies Only to A-1 and A-2 Outside Designated Growth Areas)

Only two lots with a minimum of **450 feet** of road frontage shall be allowed on existing state roads or federal highways per parent parcel **when located outside designated Growth Areas**.

Otherwise, the minimum lot frontage on existing state roads or federal highways shall be **550 feet** **when located outside designated Growth Areas**.

Lots located within designated Growth Areas shall continue to be subject to the frontage requirements otherwise applicable to the zoning district.

Homestead Definition

Sec. 86-13 – Definitions

1. Homestead (New)

Homestead.

A parcel of land consisting of ten (10) acres or greater, containing or intended to contain one single-family detached dwelling as the principal use.

Agricultural or horticultural activities that are incidental and accessory to the residential use and that support the residency are permitted by right on a homestead, even if such activities are not otherwise expressly listed as permitted uses in the applicable zoning district.

Such agricultural or horticultural activities shall be non-commercial in nature, shall be conducted solely for household use or support of the residence, and shall not include commercial agricultural production, processing, or retail sales, except where such uses are otherwise permitted by this chapter.

(Will be applicable only to A-1 and A-2 Outside Designated Growth Areas)

Subdivision

8. Sec. 86-13 – Definitions

Subdivision (*Amended*)

Current Code

Subdivision.

Subdivision. Splitting any tract, parcel or lot of land into two or more parts, other than a division of a parent parcel or a family subdivision, for the purpose of transfer of ownership or building development. Consistent with this definition, any new road constructed to serve more than two lots shall be constructed to VDOT standards for subdivision roads. The residue tract after subdividing is not counted as a lot for the purposes of this definition. Subdivided parcels may not be further subdivided or divided unless the remaining division rights are noted on a recorded plat or in conformance with existing ordinances.

Proposed Amendment

Subdivision.

The division of a parcel of land into two or more lots or parcels, whether by deed, plat, lease, or other means, for the purpose of sale, transfer, or development.

Except as expressly provided herein, all divisions of land shall be treated as subdivisions and shall be subject to the subdivision requirements of this chapter.

The following divisions shall not be considered subdivisions, provided that all applicable criteria are met:

- 1. Family subdivisions, as defined and regulated by this chapter; and**
- 2. Estate divisions made in connection with the settlement of an estate or court order.**

Any land division that does not fully qualify for one of the above exceptions shall be deemed a subdivision

Minimum Lot Size – A-1 and A-2 Outside Designated Growth Areas

1. 86-137 (A-1) and 86-155 (A-2)

Minimum Lot Area

Current Code

Minimum lot size.

Except where a larger minimum lot size is required by the regulations of the applicable zoning district, lots created by subdivision, division, or family subdivision shall contain a minimum area of one and one-half (1.5) acres and shall otherwise comply with the applicable requirements of this chapter.

Proposed Amendment

Minimum lot size for A-1 and A-2 Outside Designated Growth Areas.

Within the A-1 and A-2 zoning districts and located outside designated Growth Areas, lots created by subdivision, division, or other land division approved after the effective date of this ordinance shall contain a minimum area of ten (10) acres, except:

- 1. Lots created for public purposes, including but not limited to public rights-of-way or public utilities; or**
- 2. Lots created through bona fide family or estate divisions that comply with all applicable requirements of this chapter, shall be a minimum of 1.5 acres.**