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Department of Planning

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M E M O R A N D U M

TO: File

FROM: Anne Ducey-Ortiz, AICP, Planning Director

SUBJECT: Private Road Construction and Standards

DATE: October 21, 2008

In August 2006, the subdivision ordinance was revised to include standards for private roads permitted by sections 15-31c and 15-3.2. In order to implement these and other standards for road construction, as well as provide assurance for maintenance, limitation of service to three lots, and final plat provisions, the following information applies:

Road standards include:

- A minimum 20' easement of right-of-way from an existing road in the State Highway system (more width may be required to construct an adequate entrance)
- A driveway within the easement, consisting of (at a minimum):
 - An all weather surface of rock, stone, or gravel
 - A minimum depth of 3"
 - A minimum width of 10'
- The right-of-way shall be maintained by those having a right to use the right-of-way in a condition passable by emergency vehicles at all times
- Passable condition refers to not only the surface but the vertical and horizontal clearance.
- VDOT approval of the entrance design based on VDOT's *Minimum Standards of Entrances to State Highways*
- Any erosion and sediment control measures required to obtain a Land Disturbance Permit from the Environmental Programs Division of Codes Compliance.

Sections 15-31c and 15-3.2 also provide that a note to the effect of these conditions be placed on the face of the final plat and this provision be included in the deeds by which the subdivision is effected.

15-31c/15-3.2 Private Road
Construction Policy
Revised 10-08

Therefore, in upholding the intent of the Ordinance and insuring that private roads are constructed under the provisions of sections 15-31c and 15-3.2, the following practices shall be used:

- 1) The plat shall be reviewed by Planning Department staff and determined to be in conformance with the subdivision ordinance.
- 2) **Road Construction:**
 - a) Pursuant to §15-23 & §15-25 of the Ordinance, prior to approval of the plat, the road shall be constructed.
 - b) A “Private Road Construction Land Disturbance Permit Request” form will be signed and provided to the applicant to present in the Codes Compliance office in order to receive the required Land Disturbance Permit.
 - c) Once a LDP is issued and the construction is complete, staff from the Planning and/or Codes Compliance Departments will inspect the completed road for compliance with applicable ordinances.

OR

- 3) **Surety for Improvements:**
 - a) Pursuant to §15-23 & §15-25, a surety can be provided for the cost of the construction of the road. The applicant can submit a contractor’s construction bid or a cost estimate for the construction of all improvements necessary along with the drawing that estimate is based on and a surety amount will be determined by the Subdivision Agent based on the estimate provided.
 - b) Once a surety has been established by the Subdivision Agent, an irrevocable letter of credit in the amount approved by the county after review of the cost estimates shall be submitted to the Planning Department. Copies of the county’s letter of credit (LOC) templates (automatic renewal and annual renewal) are available from the Planning Department or on our website (www.gloucesterva.info/planning/forms.htm).
 - c) Once a LDP is issued and the construction is complete, staff from the Planning and/or Codes Compliance Departments will inspect the completed road for compliance with applicable ordinances. If construction meets all requirements of those ordinances, the surety will be released.