



**ORANGE COUNTY PLANNING COMMISSION
POLICIES FOR REVIEW AND APPROVAL OF
PRIVATE ROAD APPLICATIONS
ADOPTED 06/07/2018**

These policies are hereby adopted by the Orange County Planning Commission to guide the submittal, review, and approval of all applications for private roads, pursuant to Sec. 54-121 of the Orange County Code.

Applications

1. All applications for private roads shall be made an official form created and maintained by the Director of Planning & Zoning. Along with the form, the applicant shall submit the following documentation and materials as part of the application:
 - a. A preliminary sketch prepared by a land surveyor or engineer, which shows the existing lot layout (if applicable), the proposed lot layout, and the general location, course, and extent of the private road. The sketch should note any prominent environmental features, existing/proposed turnaround areas, and whether the road is gated or proposed to be gated.
 - b. Current photos of the property which show the following:
 - The view looking left when turning onto the state road from the private road
 - The view looking right when turning onto the state road from the private road
 - The view from the state road to the private road entrance location approx. 400'-500' away (in both directions)
 - For existing private roads, the view of the private road after turning onto it
 - For existing private roads, photos of the road surface at various spots along it
 - c. A narrative justifying the request, which addresses the following required elements:
 - Consistency of the proposal with the future land use map and objectives of the Orange County Comprehensive Plan.
 - An explanation of how the proposal will impact the adequacy or safety of the state road network in the area.
 - Identification of other easements or other means of accessing the property, if any.
 - Identification and description of any sensitive environmental areas on the property, including streams, waterbodies, wetlands, steep slopes, and the like, and how the proposal will impact these areas.
 - An explanation on the suitability of the property, if served by the private road, to accommodate new utility installations, including electricity, telecommunications, and water/wastewater (either wells/septic drainfields or public utilities).
 - A description of the surrounding area and general neighborhood character.

2. To be considered at the next regularly-scheduled Planning Commission meeting, complete private road applications must be submitted to the Department of Planning & Zoning by the first Friday of the month.

Review

1. Planning Staff shall provide a brief staff report and recommendation to the Commission for each private road application.
2. The Commission shall consider the following criteria in their review of each application:
 - a. Consistency of the application with the future land use objectives of the adopted Orange County Comprehensive Plan.
 - b. The adequacy and safety of the state road network in the area, particularly related to the state road which provides the primary access to the private road.
 - c. The existence or availability of other means of providing access to the property which is generally better for the public health, safety, convenience, and general welfare.
 - d. The existence and proximity of any sensitive environmental areas that may be impacted by the application.
 - e. The suitability of the land to accommodate the road and any other utilities.
 - f. The proximity and arrangement of neighboring properties and how they might be impacted by the application.
3. The applicant may present his/her application and respond to questions from the Commission.

Approval

1. Once the review is concluded, and upon a motion and a second, the Commission shall vote on the application.
2. Approval shall be given if a majority of the Commission, upon finding the application to be consistent with the stated review criteria, votes in the affirmative.
3. Approval shall be provided in the form of a resolution, subject to any reasonable conditions of approval stipulated by the Commission.
4. Approval shall permit the private road and any associated subdivision activity in general accordance with the application and preliminary sketch submitted with the application, subject to all required County plan approvals and permits.
5. Denial shall prohibit the private road. No further applications for private roads shall be accepted for the property/properties for a period of one year from the date of Commission denial.
6. The Director of Planning & Zoning, when providing subdivision plat and/or plan approval, shall note the Planning Commission approval on the plat and/or plan.