COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
Richmond, Virginia 23219

(804) 786-1830
Fax: (804) 225-4700

Agenda item # 8

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

March 20, 2008

MOTION

Made By: Mr. Bowie Seconded By: Mr. Witt
Action: Motion Carried, Unanimously

Title: Proposed Secondary Street Acceptance Requirements (24 VAC 30-92)

WHEREAS, Chapter 382 of the 2007 Acts of Assembly added §33.1-70.3 to the *Code of Virginia*, requiring the Board to develop Secondary Street Acceptance Requirements, promulgated by regulation, to determine the conditions and standards that must be met before streets constructed by developers, localities, and entities other than the Virginia Department of Transportation (VDOT) will be accepted into the state secondary system for maintenance by VDOT; and

WHEREAS, Chapter 382 of the 2007 Acts of Assembly provides that the regulations shall include, but not be limited to (i) requirements to ensure the connectivity of road and pedestrian networks with the existing and future transportation network; (ii) provisions to minimize stormwater runoff and impervious surface area, and (iii) provisions for performance bonding of new secondary streets and associated cost recovery fees; and

WHEREAS, the purpose of these and other provisions in the regulation is to improve the effectiveness of the overall regional and local transportation network; reduce reliance on arterial roadways for local trips; provide direct and alternative routes for emergency service providers; reduce subdivision street widths, where appropriate; and recover VDOT's costs related to street acceptance; and

WHEREAS, although this regulatory action is exempt from the Administrative Process Act (§2.2-4000 et seq. of the *Code of Virginia*), Chapter 382 of the 2007 Acts of Assembly requires that the Board solicit and consider public comment in the development of this regulation; and

WHEREAS, to this end, the Board published a Notice of Intended Regulatory Action (NOIRA) on June 11, 2007, to provide opportunity for public input; and

WHEREAS, outreach with localities and developers in each district has been ongoing; and

WHEREAS, public comments received during the NOIRA public comment period and during outreach efforts have been taken into account by a technical team and an implementation advisory committee working under the direction of the Secretary of Transportation and the Board in drafting a proposed regulation; and

WHEREAS, the solicitation of additional public comment from interested stakeholders is essential to the development of this regulation.

NOW THEREFORE BE IT RESOLVED, that the Commonwealth Transportation Board hereby directs VDOT to submit the proposed Secondary Street Acceptance Requirements (24 VAC 30-92) to appear in the *Virginia Register* and on the Virginia Regulatory Town Hall, to solicit further public comment in accordance with Chapter 382 of the 2007 Acts of Assembly.

BE IT FURTHER RESOLVED, that following public comment from interested stakeholders, the Secondary Street Acceptance Requirements shall again come before the Commonwealth Transportation Board for appropriate modification which might be prompted by such public comment.

# # #