

GUIDE
to the
RECREATIONAL ACCESS PROGRAM
of the
Virginia Department of Transportation

Secondary Roads Division

Memorandum SR-47-91

Richmond, Virginia

July, 1991

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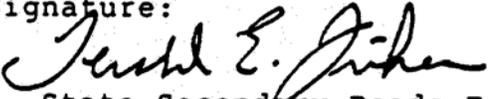
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VIRGINIA DEPARTMENT OF TRANSPORTATION
 SECONDARY ROADS DIVISION
 MEMORANDUM

Subject: RECREATIONAL ACCESS PROGRAM	Number: SR-47-91
Specific Subject: GUIDE TO THE RECREATIONAL ACCESS ROADS PROGRAM per Commonwealth Transportation Board Policy Adopted October 25, 1989, and Code of Virginia § 33.1-223, 1990	Date: JULY 1, 1991
	Supersedes: SR-42-86, dated February 20, 1986
Directed To: LOCAL GOVERNMENTS DISTRICT ENGINEERS RESIDENT ENGINEERS	Signature:  State Secondary Roads Engineer

This revised document was prepared to provide a comprehensive summary of the Recreational Access Program as established by the Code of Virginia and as governed by the policies of the Commonwealth Transportation Board. It is intended to serve as a reference for local jurisdictions and VDOT staff in the preparation and disposition of applications for program funding.

The document defines eligible projects, summarizes funding limitations, and describes the roles of the parties involved in the application and approval process. Appendices contain copies of the programs' statutory authority, the Commonwealth Transportation Board's policy, and sample resolutions for local governing bodies.

All previous instructions regarding administrative procedures for recreational access projects are hereby superseded.

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INTRODUCTION

The purpose of the Recreational Access Program is to provide adequate access to or within publicly developed recreational areas or historic sites operated by the Commonwealth of Virginia, or by a local government or authority.

The program is administered by the Department of Transportation under the authority of Section 33.1-223 of the Code of Virginia, with designation, recommendation and concurrence by the Director of the Department of Conservation and Recreation. An annual appropriation of funds from the highway portion of the Transportation Trust Fund is designated by the Commonwealth Transportation Board for Recreational Access projects, with statutory limitations on the amount authorized per project.

Application for program funding must be made by resolution of the governing body of the jurisdiction in which the access road or bikeway is to be located. Project funding is allocated by resolution of the Commonwealth Transportation Board, and construction may be accomplished by the Department of Transportation or, where appropriate, by the locality under an agreement with the Department.

Roads constructed under this program become part of the primary or secondary state highway system, or of the local road system of the locality in which they are located. ~~They also must be designated as scenic highways or Virginia byways.~~ Bikeways constructed outside the right-of-way limits of access roads become the responsibility of the authority or agency maintaining the site which they serve.



ELIGIBLE PROJECTS

General

Construction, reconstruction, maintenance and improvement of roads and bikeways are eligible for Recreational Access funding. A road or bikeway constructed with Recreational Access funds must serve a publicly developed recreational area or historic site operated by a state agency, a locality, or a local authority (not a federal facility). No access road or bikeway may be constructed, reconstructed, maintained or improved on privately owned property.

Development of the site to be served by the road or bikeway must be complete or in progress, or assurance must be provided that such development will occur within a specified period. In addition, the site must be designated as a public recreational or historic area by the Director of the Department of Conservation and Recreation, and the Director must recommend construction of the access facility.

The program may provide, as deemed necessary, access to the site's entrance or to a logical focal point within the site. An access road and bikeway may be combined into a single facility.

It must be shown that the cost of constructing the facility is justified by the anticipated volume and type of traffic to be generated by the recreational or historic attraction. Evidence of sufficient public demand to support construction of the facility must also be provided.

Costs incurred in the development, design or construction of a Recreational Access facility prior to the allocation of funds by the Commonwealth Transportation Board are not eligible for reimbursement through this program. Right of way acquisition and adjustment of utilities costs are not eligible for reimbursement at any time and must be funded by the applicant or from other available sources.

Recreational Access Roads

Several important considerations should be kept in mind when proposing a Recreational Access road. Among these are:

1. Logical termini and alignment - The road should be located to provide the most direct, cost-effective access to the recreational area or historic site. It should end either at the entrance to the area or at the main focal point within its boundaries (e.g., parking lot, information center, administration building, camping area). The first point at which visitors would leave their automobiles generally defines the focal point.

If the existing road system does not provide adequate access to the park/historic site, the application must separately address the two specific segments involved: the proposed improvement to the existing road leading to the recreational facility and the proposed access facility within the recreational area itself.

A road alignment which would open adjacent land to residential or commercial development should be avoided. If the Recreational Access road must traverse privately owned property, efforts should be made to impose restrictions on such development through appropriate means such as zoning or deed restrictions. Also to be avoided, if possible, are alignments which involve railroad crossings or bridges.

2. Design - Pavement width will be only that required for expected traffic, usually 18 to 22 feet. Wider pavement may be included in the design, but the cost of the additional width must be paid by the locality. (NOTE: In cities and towns that maintain their streets, the pavement width must be 30 feet to qualify for maintenance payments). Additional width for turn movements may be included in program funding if fully warranted and documented.

The program will fund a rural typical section, i.e. shoulders with ditches. Curb and gutter, storm sewer, and other amenities may be included in the design, but must also be provided at local expense.

A design speed of 30 mph is normal for park roads, but a higher or lower design speed may be considered if justification is provided.

A minimum right of way of 50 feet must be provided by the locality, at no cost to the Department. (In certain cases involving the improvement of existing roadways maintained by the Department, however, the cost of additional right of way may be funded from the Department's Improvement allocations to the system involved.) Lesser right of way width will be considered in areas of special concern.

3. Acceptance into Primary, Secondary or Local System - New roadways, upon completion, are opened to public use and are accepted into the appropriate system for maintenance. Recreational Access roads are normally designated as part of either the secondary or local road system, according to their location. In all counties except Arlington and Henrico, in towns not maintaining their own road systems, and in the former Nansemond County portion of the City of Suffolk, these roads may be added to the secondary system of state highways. In cities, in towns receiving maintenance payments, and in the Counties of Arlington and Henrico, the roads are taken into the road systems of these localities. In a few exceptional instances, it has been deemed appropriate to designate the new access facility as part of the primary system of state highways.

Recreational Access roads are expected to be open to public use at all times. In certain cases, they may be closed during specified hours for security purposes. If maintained as part of the primary or secondary state highway system, a permit for closure must be issued by the Department of Transportation.

No fee may be charged for the use of a roadway constructed with Recreational Access Funds.

4. Scenic Highway or Virginia Byway Designation - Any Recreational Access road constructed under this program must be designated as a scenic highway or a Virginia byway, and a commitment to such designation must be contained in the resolution from the local governing body. Either designation obligates the locality to employ all reasonable means, such as zoning, to protect the aesthetic and cultural value of the road.

Bikeways

Recreational Access bikeways, because of their special nature, warrant additional considerations:

1. Purpose - A Recreational Access bikeway is intended to serve the same purpose as an access road. That is, to provide access for cyclists to; a recreational or historic site, not to provide a recreational facility in itself. Like the access road, it should end at a logical focal point, normally the first place cyclists could park their bikes.

It follows, then, that a proposed bikeway should either connect to an existing bikeway or, if none is present, it should be located in an area which generates a significant amount of bicycle traffic. Recreational or historic attractions in remote areas are not logical candidates for bikeway projects unless they are located on established bicycle routes.

2. Concept - A bikeway may be combined with a road as a single project, or it may be constructed as a separate facility. If independent bikeway access is deemed appropriate, it will be established on a separate right of way, which must be provided at no cost to the Department.
3. Design - The design of the bikeway facility must be in accordance with the Department's standards for bikeways.
4. Maintenance - A bikeway built within the right of way of an access road will be maintained as part of the road. Independent bikeways constructed outside the right of way limits of an access road must be regulated and maintained by the authority, agency or locality maintaining the site which they serve.
5. Zoning - A zoning ordinance must be in effect and the corridor for the proposed bikeway facility appropriately classified.

FUNDING LIMITATIONS

The Recreational Access Program is funded through an annual appropriation. Up to \$3 million may be available annually for the program. Except for amounts allocated but not yet spent for approved access projects, funds cannot be carried forward at the end of each fiscal year, so that the total amount available in any year is limited by the appropriation. Applications are considered on a first come, first served basis.

Funding limitations for qualified projects have been established by statute, and they areas follows:

Roads

State Facility - Not more than \$400,000 may be allocated for an access road in any facility operated by a state agency.

Local Facility - Not more than \$250,000 may be allocated for an access road operated by a locality or authority, with an additional \$100,000 if matched on a dollar-for-dollar basis by the locality or authority from other than highway sources.

Bikeways

State Facility - Not more than \$75,000 may be allocated to a bikeway operated by a state agency.

Local Facility - Not more than \$60,000 may be allocated to a bikeway operated by a locality or authority, with an additional \$15,000 if matched on a dollar-for-dollar basis by the locality or authority from other than highway sources.

APPLICATION PROCESS

Application for Recreational Access Funds may be made only by the governing body of the county, city or town in which the access road or bikeway is to be provided or maintained. The following preliminary steps should be observed in developing an application:

1. Develop a plan for the recreational area or historic site to the extent that, if it is not already established, its cost has been estimated and funding for its construction or expansion has been a.) appropriated, b.) included in an approved capital improvement plan, or c.) anticipated for a future year's capital improvement plan. Adequate assurance must be provided that the attraction will be developed and operational at the approximate time the access facility is proposed for completion.
2. Contact the Department of Conservation and Recreation for a preliminary opinion as to whether or not the proposed recreational area or historic site meets its criteria for official designation as such. This designation is a requisite for Recreational Access funding.
3. Contact the Department of Transportation's Resident Engineer. The Resident Engineer is the primary liaison between the Department and the applicant from the preliminary phase through project completion and should be consulted at an early stage for advice and assistance. The locality may request that the Department provide the design for the road. If the locality designs the Recreational Access facility, it must ensure that the road or bikeway design conforms to VDOT standards. Construction of the facility may be administered by the Department of Transportation or by the applicant through a local-state agreement.

Once the plan for development and funding of the recreational area or historic site is established and the preliminary road or bikeway design has been completed, the formal application process may be initiated. The following actions and documentation are required of the applicant:

1. Make an official request for Recreational Access funds by resolution of the local governing body. If a proposed access facility is located within more than one locality, a separate resolution will be required from each locality. Likewise, if the proposed facility is to be located in a town which does not maintain its own streets, the request from the Town Council should be concurred in by a separate resolution of the county Board of Supervisors. Sample resolutions are included in Appendix III.

2. Submit the following information to the Resident Engineer:
 - a. Original or certified copy of resolution from the local governing body requesting Recreational Access funds for the project. The resolution must contain a guarantee to provide right of way and adjustment of utilities, if required, at no cost to the Recreational Access Fund. It must also provide for designation of the Recreational Access road as a "Virginia Byway." (See sample resolution in Appendix III).
 - b. Site plan of park or historical site, showing proposed access road or bikeway.
 - c. Description of existing and/or proposed park or historical site facilities.
 - d. Estimated volume and nature of traffic to be generated by the recreational attraction/historic site.
 - e. Amount and status of funding for construction, development or improvement of the recreational or historic attraction to be served by the proposed access facility (documentation of appropriation in current year, inclusion in capital improvement plan for future year, etc.).
 - f. Description of the proposed access facility (design standards, location).

VDOT's Resident Engineer will determine the cost of constructing the proposed road or bikeway. (Recreational Access funds may not be used for the acquisition of right of way or the adjustment of utilities, and these costs must be funded by the applicant or from other available sources. Likewise, all costs above the maximum Recreational Access allocation and any costs considered ineligible for program funding must be borne by the applicant.)

The Resident Engineer will review the entire assembly and resolve any apparent problems before sending it forward.

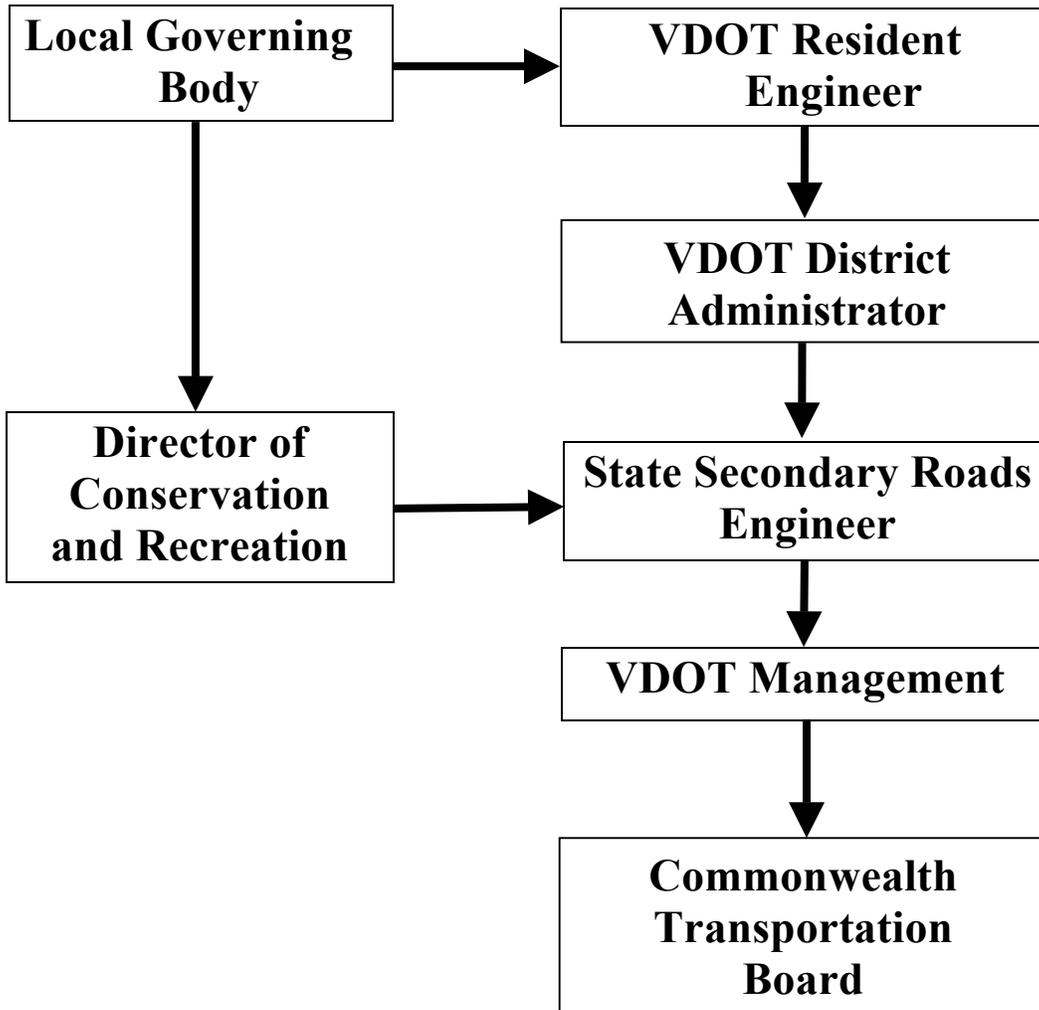
APPROVAL PROCESS

The Resident Engineer will forward the request for funds through the District Administrator to the State Secondary Roads Engineer.

1. The District Administrator will review the application assembly for completeness, determine whether the proposed facility's location, scope and design are appropriate, and confirm the accuracy of cost estimates. The application will then be forwarded to the State Secondary Roads Engineer with a recommendation from the District Administrator as to whether or not the proposed facility should be provided with Recreational Access funds.
2. The State Secondary Roads Engineer will coordinate review of the application between the Department of Transportation and the Department of Conservation and Recreation. A site visit may be conducted, either jointly or independently, by both agencies. The applicant will be contacted if any details remain unresolved or if the proposed facility requires modification to meet eligibility criteria. If either agency finds that the proposal is not in accordance with the Recreational Access Program's intent or otherwise fails to meet its basic qualifications, the applicant will be notified.
3. If all requirements are met, formal designation and approval of the access project will be requested from the Director of the Department of Conservation and Recreation. Subsequent to this action, a recommendation for funding will be prepared by the State Secondary Roads Engineer for consideration by the Commonwealth Transportation Board. The Board may allocate funds for the project, subject to contingencies that are specified in the Board's resolution. The applicant will be notified of the Transportation Board's official action on the request. Upon allocation, the project is subject to all rules of design, right of way, scheduling for advertisement, bidding and construction of other similar projects administered by the Department of Transportation.
4. If a county, city or town desires to administer a project itself and the Department of Transportation concurs, the Department will prepare an appropriate local/state agreement covering respective responsibilities, schedules and payment of costs. Any cost incurred or contract executed by a local governing body or its agent before a local/state agreement is signed by all parties is the responsibility of the local governing body.
5. Expenditure of funds will be authorized by the Department when all contingencies of the Board's resolution have been satisfied. No program funding will be authorized until assurance is provided that the recreational area or historic site will be open for public use at approximately the same time that the access project is completed.

6. Once an access road or bikeway is completed and undergoes final inspection, it is taken into the appropriate system for maintenance (state primary, state secondary or local). A bikeway constructed on separate right of way is the maintenance responsibility of the locality or authority operating the site which it serves.

Recreational Access Roads Approval Process



APPENDIX I

STATUTORY AUTHORITY

Code of Virginia

§ 33.1-223. Fund for access roads and bikeways to public recreational areas and historical sites; construction, maintenance, etc., of such facilities.

A. The General Assembly finds and declares that there is an increasing demand by the public for more public recreational areas throughout the Commonwealth, therefore creating a need for more access to these areas. There are also many sites of historical significance to which access is needed.

The General Assembly hereby declares it to be in the public interest that access roads and bikeways for public recreational areas and historical sites be provided by using funds obtained from motor fuel tax collections on motor fuel used for propelling boats and ships and funds contained in the highway portion of the Transportation Trust Fund.

B. In order to provide equal matching of funds hereinafter appropriated, the Commonwealth Transportation Board shall, from funds allocated to the primary system, secondary system, or urban system of state highways, set aside the sum of \$3 million initially. This fund shall be expended by the Board for the construction, reconstruction, maintenance or improvement of access roads and bikeways within counties, cities and towns. At the close of each succeeding fiscal year the Board shall replenish this fund to the extent it deems necessary to carry out the purpose intended, provided the balance in the fund plus the replenishment does not exceed the aforesaid \$3 million.

C. Upon the setting aside of the funds as herein provided, the Commonwealth Transportation Board shall construct, reconstruct, maintain or improve access roads and bikeways to public recreational areas and historical sites upon the following conditions:

1. When the Director of the Department of Conservation and Recreation has designated a public recreational area as such or an historic area as such and recommends to the Commonwealth Transportation Board that an access road or bikeway be provided or maintained to that area;

2. When the Commonwealth Transportation Board pursuant to the recommendation from the Director of the Department of Conservation and Recreation declares by resolution that the access road or bikeway be provided or maintained;

3. When the governing body of the county, city or town in which the access road or bikeway is to be provided or maintained passes a resolution requesting the road; and

4. When the governing body of the county, city or town in which the bikeway is to be provided or maintained adopts an ordinance pursuant to Article 8 (§ 15.1-486 et seq.), Chapter 11, Title 15.1.

No access road or bikeway shall be constructed, reconstructed, maintained or improved on privately owned property.

D. Any access road constructed, reconstructed, maintained or improved pursuant to the provisions of this section shall become part of the primary system of state highways, the secondary system of state highways or the road system of the locality in which it is located in the manner provided by law and shall be designated as a scenic highway or byway as provided for in Article 5 (§ 33.1-62 et seq.), Chapter 1 of this title, and shall thereafter be constructed, reconstructed, maintained and improved as other roads in such systems. Any bikeway path constructed, reconstructed, maintained or improved pursuant to the provisions of this section which is not situated within the right-of-way limits of an access road which has become, or which is to become, part of the primary system of state highways, the secondary system of state highways, or the road system of the locality, shall, upon completion, become part of and be regulated and maintained by the authority or agency maintaining the public recreational area or historical site. It shall be the responsibility of the authority, agency, or locality requesting that a bicycle path be provided for a public recreational or historical site to provide the right-of-way needed for the construction, reconstruction, maintenance or improvement of the bicycle path if such is to be situated outside the right-of-way limits of an access road.

To maximize the impact of the Fund, not more than \$400,000 of recreational access funds may be allocated for an access road in any facility operated by a state agency and not more than \$250,000 for an access road for a facility operated by a locality or an authority with an additional \$100,000 if supplemented on a dollar-for-dollar basis by the locality or authority from other than highway sources. Not more than \$75,000 of recreational access funds may be allocated to any specific bikeway operated by a state agency and not more than \$60,000 to a bikeway operated by a locality or an authority with an additional \$15,000 if supplemented on a dollar-for-dollar basis by a locality or authority from other than highway sources.

The Commonwealth Transportation Board, with the concurrence of the Director of the Department of Conservation and Recreation, is hereby authorized to make regulations to carry out the provisions of this section. (Code 1950, § 33-136.3; 1966, c. 484; 1968, c. 221; 1970, c. 322; 1975, c. 362; 1982, c. 643; 1984, c. 739; 1989, cc. 305,656; 1990, c. 689.)

APPENDIX II
RECREATIONAL ACCESS POLICY
of the
COMMONWEALTH TRANSPORTATION BOARD

Moved by Mr. Musselwhite, seconded by Dr. Thomas, that

WHEREAS, Section 33.1-223 of the Code of Virginia providing for access roads to public recreational areas and historical sites was amended and reenacted by the 1989 session of the General Assembly; and

WHEREAS, the Commonwealth Transportation Board, with the concurrence of the Director of Conservation and Historic Resources, is authorized by this section of the Code to make certain regulations to carry out the provisions of the law; and

WHEREAS, it is deemed necessary by both agencies to amend the previously adopted policy on the use of such funds.

NOW, THEREFORE, BE IT RESOLVED that the Commonwealth Transportation Board hereby rescinds its previous policy adopted on February 20, 1986, and adopts the following policy governing the use of recreational access funds, which new policy has been concurred in by the Director of Conservation and Historic Resources pursuant to Section 33.1-223 of the Code of Virginia, as amended:

The Commonwealth Transportation Board adopts this policy to govern the use of recreational access funds pursuant to Section 33.1-223, of the Code of Virginia, as amended. The statute provides that the concept of access be applicable to facilities for motor vehicles and bicycles, whether in separate physical facilities or combined in a single facility. In the event independent bikeway access is deemed appropriate and justified, the access will be established on a separate right of way independent of motor vehicle traffic and specifically designated to provide for bicycle access to the recreational area or historical site as a connecting link between an existing bikeway or otherwise recognized bicycle route.

The following items are incorporated in this policy:

1. The use of recreational access funds shall be limited to the purpose of providing proper access to or within publicly developed recreational areas or historical sites where the full provisions of Section 33.1-223 have been complied with.
2. Recreational access funds shall not be used for the acquisition of right of way or

adjustment of utilities. These funds are to be used only for the actual engineering and construction of a road or bikeway facility adequate to serve traffic generated by the public recreational area or historical site.

3. For each project, the identified need or demand for the access facilities will be analyzed and mutually agreed upon between the Commonwealth Transportation Board and the Director of Conservation and Recreation. The decision to construct or improve an access facility to a public recreational area or historical site will be based upon the following parameters:
 - A. The cost of construction in relation to the volume and nature of traffic to be generated as a result of the attraction.
 - B. Identification of sufficient public demand to support the construction of the access facilities.
 - C. In the consideration of any bikeway request as described herein, one of these features should be applicable:
 - (1) The bikeway should serve a connecting route of established bikeway usage in the recreational area or historical site.
 - (2) The recreational area or historical site is located within an area of substantial bicycle traffic generation.
 - D. Type of protective zoning in effect (applicable only when the request involves a bikeway facility).

For each project, the identified need or demand for the access facilities will be analyzed and mutually agreed upon between the Commonwealth Transportation Board and the Director of Conservation and Historic Resources.

4. Recreational access funds will not be considered for the construction, reconstruction, maintenance, or improvement of recreational access roads or bikeways until such time as adequate assurance has been given that the recreational facility is already in operation or will be developed and operational at the approximate time of the completion of the road or bikeway.
5. Motor vehicle access and/or bikeway access may be considered as either combined facilities or separate entities. Funding limitations have been established by statute, for qualified projects, as follows:

Not more than \$400,000 of recreational access funds may be allocated for an access road in any facility operated by a state agency and not more than \$250,000

for an access road for a facility operated by a locality or an authority with an additional \$100,000 if supplemented on a dollar-for-dollar basis by the locality or authority from other than highway sources. Not more than \$75,000 of recreational access funds may be allocated to any specific bikeway operated by a state agency and not more than \$60,000 to a bikeway operated by a locality or an authority with an additional \$15,000 if supplemented on a dollar-for-dollar basis by a locality or authority from other than highway sources.

6. Prior to the formal request for the use of recreational access funds to provide access to public recreational areas or historical sites, the location of the access road or bikeway shall be submitted for approval by the engineers of the Department of Transportation and to the staff of the Director of Conservation and Recreation. In making recommendations, personnel of the Department of Transportation and the Department of Conservation and Recreation shall take into consideration the cost of the access road or bikeway as it relates to the location, the possibility of any future extension to serve other public recreational areas or historical sites, and the anticipated future development of the area traversed.
7. The use of recreational access funds shall be limited to the construction or reconstruction of motor vehicle access roads or bikeway access to publicly owned recreational areas or historical sites or to officially designated major development units within such areas or sites.

The beginning and termination of the recreational access facility shall be at logical locations. Termination of the access shall be the park or historical site entrance or may be within. If within, the main focal point of interest shall be construed as the termination at which "adequate access" is judged to be provided for the facility. This may be an administration building, information center, auditorium, stadium, parking lot, picnic area, camping area, etc., depending upon the character of the recreational area. Generally, it would be interpreted as the first point at or within the recreational area or historical site that visitors would leave their automobiles or bikes and commence to utilize some feature of the facility.

8. It is the intent of the Commonwealth Transportation Board and the Director of Conservation and Recreation that recreational access funds not be anticipated from year to year.

MOTION CARRIED

October 25, 1989

APPENDIX III
SAMPLE RECREATIONAL ACCESS RESOLUTIONS

- 1. Recreational Access Road**
- 2. Combined Recreational Access Road/Bikeway**
- 3. Separate Bikeway**

SAMPLE RESOLUTION
(RECREATIONAL ACCESS ROAD)

BOARD OF SUPERVISORS/
CITY OR TOWN COUNCIL

Date _____

WHEREAS, the _____ (Park or Historical Site) is owned and is to be developed by the (County/City/Town) of _____ as a recreational facility serving the residents of (County/City/Town) and adjoining localities; and

WHEREAS, the facility is in need of adequate access; and

WHEREAS, the procedure governing the allocation of recreational access funds as set forth in Section 33.1-223 of the Code of Virginia requires joint action by the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board; and

WHEREAS, a statement of policy agreed upon between the said Director and Board approves the use of such funds for the construction of access roads to publicly-owned recreational areas or historical sites; and

WHEREAS, it appears to the (Board/Council) that all requirements of the law have been met to permit the Director of the Department of Conservation and Recreation to designate the _____ Park as a public (recreational facility/historical site) and further permit the Commonwealth Transportation Board to provide funds for access to this public recreation area in accordance with Section 33.1-223 of the Code of Virginia; and

WHEREAS, the right of way of the proposed access road is provided by the County/City/Town of _____ at no cost to the Recreational Access Fund; and

WHEREAS, the (Board/Council) ~~acknowledges that, pursuant to the provisions of Section 33.1-223 of the Code of Virginia, this road shall be designated a "Virginia Byway" and recommends the Commonwealth Transportation Board, in cooperation with the Director of the Department of Conservation and Recreation, take the appropriate action to implement this designation. Further, the (Board/Council) agrees, in keeping with the intent of Section 33.1-63 of the Code of Virginia, to use its good offices to reasonably protect the aesthetic or cultural value of this road.~~

NOW, THEREFORE BE IT RESOLVED, that the (Board of Supervisors/City/Town Council) of _____ hereby s the Director of the Department of Conservation and Recreation to designate the _____ Park as a public (recreational

area/historical site) and to recommend to the Commonwealth Transportation Board that recreational access funds be allocated for an access road to serve said park; and

BE IT FURTHER RESOLVED, that the Commonwealth Transportation Board is hereby requested to allocate the necessary recreational access funds to provide a suitable access road as hereinbefore described.

County Administrator/
City/Town Manager

SAMPLE RESOLUTION

(COMBINED RECREATIONAL ACCESS ROAD/BIKEWAY)

BOARD OF SUPERVISORS/
CITY OR TOWN COUNCIL

Date _____

WHEREAS, the _____ (Park or Historical Site) is owned and is to be developed by the (County/City/Town) of _____ as a recreational facility serving the residents of (County/City/Town) and adjoining localities; and

WHEREAS, the facility is in need of adequate vehicular and bicycle access; and

WHEREAS, the procedure governing the allocation of recreational access funds as set forth in Section 33.1-223 of the Code of Virginia requires joint action by the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board; and

WHEREAS, a statement of policy agreed upon between the said Director and Board approves the use of such funds for the construction of access facilities to publicly-owned recreational areas or historical sites; and

WHEREAS, the (Board/Council) has duly adopted a zoning ordinance pursuant to Article 8 (Section 15.1-486 et seq), Chapter 11, Title 15.1 of the Code of Virginia; and

WHEREAS, it appears to the (Board/Council) that all requirements of the law have been met to permit the Director of the Department of Conservation and Recreation to designate the _____ Park as a public (recreational facility/historical site) and further permit the Commonwealth Transportation Board to provide funds for access to this public recreation area in accordance with Section 33.1-223 of the Code of Virginia; and

WHEREAS, the right of way of the proposed access road and bikeway is provided by the (County/City/Town) of _____ at no cost to the Recreational Access Fund; and

WHEREAS, the (Board/Council) ~~acknowledges that, pursuant to the provisions of Section 33.1-223 of the Code of Virginia, this road and bikeway shall be designated a "Virginia Byway" and~~ recommends the Commonwealth Transportation Board, in cooperation with the Director of the Department of Conservation and Recreation, take the appropriate action to implement this designation. Further, the (Board/Council) agrees, in keeping with the intent of Section 33.1-63 of the Code of Virginia, to use its good offices to reasonably protect the aesthetic or cultural value of this road and bikeway.



NOW, THEREFORE BE IT RESOLVED, that the (Board of Supervisors/City/Town Council) of _____ hereby requests the Director of the Department of Conservation and Recreation to designate the _____ Park as a public (recreational area/historical site) and to recommend to the Commonwealth Transportation Board that recreational access funds be allocated for an access road and bikeway to serve said park; and

BE IT FURTHER RESOLVED, that the Commonwealth Transportation Board is hereby requested to allocate the necessary recreational access funds to provide a suitable access road and bikeway as hereinbefore described.

County Administrator/
City/Town Manager

SAMPLE RESOLUTION

(SEPARATE BIKEWAY)

BOARD OF SUPERVISORS/
CITY OR TOWN COUNCIL

Date _____

WHEREAS, the _____ (park or historical site) is owned and is to be developed by the (County/City/Town) of as a recreational facility serving the residents of (County/City/Town) and adjoining localities; and

WHEREAS, the facility is in need of adequate bicycle access; and

WHEREAS, the procedure governing the allocation of recreational access funds as set forth in Section 33.1-223 of the Code of Virginia requires joint action by the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board; and

WHEREAS, a statement of policy agreed upon between the said Director and Board approves the use of such funds for the construction of access facilities to publicly-owned recreational areas or historical sites; and

WHEREAS, the (Board/Council) has duly adopted a zoning ordinance pursuant to Article 8 (Section 15.1-486 et seq), Chapter 11, Title 15.1 of the Code of Virginia; and

WHEREAS, it appears to the (Board/Council) that all requirements of the law have been met to permit the Director of the Department of Conservation and Recreation to designate the _____ Park as a public (recreational facility/historical site) and further permit the Commonwealth Transportation Board to provide funds for access to this public recreation area in accordance with Section 33.1-223 of the Code of Virginia; and

WHEREAS, the right of way of the proposed bicycle access is provided by the (County/City/Town) of _____ at no cost to the Recreational Access Fund; and

WHEREAS, the (Board/Council) acknowledges that, pursuant to the provisions of Section 33.1-223 of the Code of Virginia, this bikeway, once constructed, shall be regulated and maintained by the (County/City/Town/Operating Authority) [if bikeway constructed as separate facility].

NOW, THEREFORE BE IT RESOLVED, that the (Board of Supervisors/City/Town Council) of _____ hereby requests the Director of the Department of Conservation

and Recreation to designate the _____ Park as a public (recreational area/historical site) and to recommend to the Commonwealth Transportation Board that recreational access funds be allocated for a bikeway to serve said park; and

BE IT FURTHER RESOLVED, that the Commonwealth Transportation Board is hereby requested to allocate the necessary recreational access funds to provide a suitable bikeway as hereinbefore described.

County Administrator/
City/Town Manager