



Goochland County

Request for creation of a Road Service District to Convert Existing Private Roads to Public Roads -100% property owner cost

Department: Community Development

Policy Number: TR-02

Date Issued: 03/05/2019

Implementation: 03/05/2019

Supersedes: n/a

All applicants shall read the information below and submit the attached petition form (Attachment A) to begin this process.

Virginia Code

The Virginia Code § 15.2-2400 empowers a locality to enact an ordinance to create service districts within the locality. In accordance with Virginia Code § 15.2-2403(2), the locality, upon adoption of an ordinance creating a service district, may use the funds generated by that district as a funding source to improve existing private roads to a standard that will allow for their acceptance into the state system for maintenance (VDOT standard).

The Virginia Department of Transportation (VDOT) is the State agency charged with supporting local governments in their efforts to construct and improve roads to a VDOT standard.

At the March 5, 2019 Board of Supervisor's meeting, Goochland County adopted this policy outlining the process to be followed to create a service district as a funding source to cover or contribute to the cost of any improvements, to bring an existing private road up to the state's standard once the district has been approved by the Board of Supervisors.

Generally

- The road or portion thereof proposed for improvement shall:
 - have been in existence and use prior to 1990,
 - serve at least 3 occupied homes,
 - connect to a road already maintained by VDOT,
- The proposed right-of -way shall:
 - be unencumbered by utilities,
 - be sufficient to meet VDOT's standards, safety and maintenance (This width typically will vary from 40 to 50 feet),
 - be dedicated for public use at no cost to the County. The County will not condemn any property needed for right-of -way.
- No private road shall be considered for this program unless the proposed improvements allow for the safe and efficient flow of motor vehicle traffic upon completion of the proposed improvements.
- At least 75% of the Property owners abutting the road or section thereof must consent to the creation of and participation in the Road Service District to start the process.
- Property owners must acknowledge that funding for the road improvements is to be provided for from the collection of payments into the applicable Road Service District. No project shall commence until all funds needed for the project are available.
- Projects shall be assigned for award of contract once funding is available in the Road Service District General funds allocated to their specific Road service District.



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Goochland County Process for Requesting creation of a Road Service District

Any individual, organization, or entity may request the board of supervisors to create a road service district for improving their private roads to State standard. Project request can be submitted at any time. Projects will be considered submitted upon completion of Step 1 below. The County will consider 2 projects a year, for creation of a road service district. Projects will be considered in the order they are submitted and move forward to construction once all necessary funds have been collected and funding is allocated to their specific Road Service District. County staff will review the project list on an annual basis, confirm that pending requests are still valid, update the project cost estimate, provide an update to the district participants of the status of available funding and update them on a projected project start date.

Step 1 – Petition Requesting Creation of a Road Service District

1. A minimum of 75% of the residents on each road must sign a petition agreeing to the creation of a Road Service District (See attachment A).
 - a. The applicant shall provide County staff with each signed petition form, a map and a description of the road/or portion of to be improved, and information on the primary contact person/s for this request.
2. Petition(s) shall include
 - a. Name, street lengths, and location of street(s) for which a Road Service District is being created
 - b. Map showing the requested streets and a deficiency list from VDOT that outlines what improvements are needed to bring the road up to State Standards.
 - c. One or more residents identified as lead contact(s)
 - d. Names/contact information for lead contact(s)
3. Submit petition to Environmental/Traffic Engineering staff.

Step 2 – County Staff Review and Coordination

1. Environmental/Traffic Engineering staff receives the petition and confirms eligibility. Once the project has progressed up the project list and deemed next for consideration, County staff or VDOT prepares a preliminary cost estimate for project. Cost estimate shall include such items as:
 - a. cost of required road improvements (pavement, subsurface re-construction, testing of road subsurface or materials, etc.)
 - b. plan preparation cost (if required by VDOT),
 - c. Inspection and construction management costs
 - d. Projected project cost inflation rates over time allocated for collection of the funds
2. County will prepare projected collection schedules for all properties located within the proposed district. Collection schedules will be calculated as follows:



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- a. Schedules will be prepared based on 7-year collection, 10-year collection and 20-year collection for all costs as outlined in #1 above.
- b. Cost apportioned to each property in the District shall be allocated on a proportionate basis. If property is in the land use preservation program pursuant to Virginia Code § 58.1-3229 et seq., the property's proportionate share will be based on the full assessed value of the taxable property.
3. Environmental/Traffic Engineering staff will contact primary contact person with the projected cost for project, collection schedules and outline of the next steps within 90 days of application.

Step 3 – Applicant's confirmation of desire to move forward with creation of the district

1. Primary contact person/applicant shall provide the Environmental/Traffic Engineering staff within 90 days with:
 - a. If right-of-way is owned by multiple property owners:
 - i. Letters of agreement (See attachment B) from all property owners located within the proposed Service district:
 1. agreeing to inclusion of the property in the road service district
 2. agreeing to the specified length of term of collection
 3. acknowledgement of the apportioned cost of improvements to said property
 4. acknowledgement of intent to dedicate right-of-way

*Note: All property owners located within the service district must submit Letters of Agreement as the County will **not** condemn any property needed for right-of-way.*

 - b. If right-of-way is owned by single individual:
 - i. Letters of agreement (See attachment B) from the property owner of the proposed right-of-way:
 1. agreeing to inclusion of the property in the road service district
 2. agreeing to the specified length of term of collection
 3. acknowledgement of the apportioned cost of improvements to said property
 4. acknowledgement of intent to dedicate right-of-way
 - c. Plat of Right-of-way dedication, prepared by a professional surveyor/engineer, showing land area needing to be dedicated by each landowner to create a right-of-way for the roadway being improved. County Staff will prepare Deeds of Dedication to be executed by each affected property owner. All right-of-way must be acquired to move forward to Step 4.



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Step 4 –Board of Supervisors Consideration

County staff will ask the Board to set a public hearing to consider the creation of a Road Service District for the requested road improvement project within 90 days of receipt of all items in Step 3. If the Board agrees to the request, then a public hearing will be held at a future meeting as specified by the Board, typically the next month. The applicant is encouraged to attend all applicable meetings.

Step 5 - Implementation

If the Board approves this request, the County will create a Road Service District to collect funds for costs associated with the construction of the proposed road improvements and other items as outlined in Step 2 item 1. The collection of funds will be done by the Treasurer's Office as part of the Annual tax collections. The Finance Department shall provide annual reports on the status of the Road Service District Fund to the Environmental/Traffic Engineering staff to be used in determining when a project is ready to move forward to construction. County staff will review the project list on an annual basis, update the project cost estimate, provide an update to the district participants of the status of available funding and update them on a projected project start date. If projected construction costs have changed, the payment schedule amount may be adjusted to ensure adequate project funds are collected by the end of the payment collection period.

Step 6 – VDOT Acceptance of Improved Road for State Maintenance

After the construction of all required improvements is complete, the County will submit a request to VDOT for acceptance of the improved road into the State system for maintenance. Any overage of funds remaining in the Road Service District account for a specific roadway, upon completion of the road construction, shall be credited toward the property tax due for the properties within the Road Service District in the same manner used to allocate the amount of payment owned initially. This payment will be to whoever the property owner is at the time of completion of the project.



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Attachment A:

**Petition to the create a
 Road Service District to cover the cost of improving
 _____ (Street Name) _____ to state standards so it may
 be accepted into the State system for Maintenance**

Road Name and length of road (in feet):	
<i>In accordance with Goochland County policy, at least 75% of the residents on each road/road segment proposed for improvements must sign a petition agreeing to the creation of a Road Service District before the Board will consider the request. If a neighborhood has 2 or more roads, a petition for each road will need to be submitted. If a property is shared/owned by more than one person, only one signature is needed below.</i>	
Lead Contact Phone/E-mail (Please print):	
Lead Contact Phone/E-mail (Please print):	
We, the undersigned, petition the Goochland County Board of Supervisors to establish a Road Service District to cover the costs associated with making improvements to _____ that are required to make the road eligible for acceptance into the State system for maintenance. We further acknowledge the obligation to pay for said improvements. See attached map for reference.	
Name (Print):	Name (Print):
Signature:	Signature:
Street Address:	Street Address:
Name (Print):	Name (Print):
Signature:	Signature:
Street Address:	Street Address:
Name (Print):	Name (Print):
Signature:	Signature:
Street Address:	Street Address:



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Attachment B:

Request for Creation of a Road Service District

You are completing this document in order to express your support of a request to have Goochland County create a Service District to cover the costs of improving these roads to VDOT standards: _____.

Roads will not be improved until enough money is collected to pay for the work. After they have been improved and accepted by VDOT for state maintenance, the roads will be open to the public and maintained by VDOT.

Your signature on this document indicates your agreement to the following:

1. To dedicate, without cost, any needed right of way to the County or VDOT.
2. To authorize the imposition of an additional tax which will be collected by the County and held until sufficient funds are collected to make the needed improvements.
3. That the roads, after accepted by VDOT, will be open to the public.
4. That the roads, after accepted by VDOT, will be maintained by VDOT.
5. That your property is either not in land use or, if it is in land use, that you agree to have your property taxed at full value for the road service district.

This document is being collected to determine the level of property owners' support in the creation of a Service District. The Service District can be created even if fewer than 100% of the property owners support it.

If the Service District is created, every property owner in the Service District will be obligated to pay the additional tax, even if they did not request the creation of the service district.

Signature of Property Owner:		Date:	
Name of Property Owner: (Printed)		Phone No. – Home:	Phone No. – Other
Property Address:		Mailing Address, if different:	
Email address:			