

# Roanoke County's Rural Addition Policy



## *Getting Your Private Roads Accepted into the Secondary System of State Highways for VDOT Maintenance*

In 1932, the Virginia General Assembly passed legislation that created the secondary system of state highways. The Virginia Department of Transportation (VDOT) was designated to manage and maintain the new highway system. Over the years, guidelines were established to ensure that qualifying roads, not maintained by the State, could become eligible for acceptance into the state-maintained secondary system. The process to add existing roads that are not maintained by the state to this highway system begins with the local Board of Supervisors and is explained below.

Subdivision developers build most of Virginia's new local roads. Those streets built to the standards established in VDOT's [Subdivision Street Requirements](#) and [The Pavement Design Guide](#) are eligible to become state-maintained. In many Virginia counties, subdivision streets have been built that do not meet the minimum standards which would permit their addition to the secondary system of highways. The maintenance of such roads remains the responsibility of the developer or homeowners that are served. In many cases, when the cost of maintaining these roads becomes unaffordable, the citizens served request the state to accept their maintenance responsibility.

In addition, residents along certain older, rural roads located outside of established subdivisions often maintain their road. These citizens also want their roads to be added to the state-maintained highway system.

Below you will find some frequently asked questions and some useful answers to help you decide if your road is eligible for acceptance into Roanoke County's Rural Addition program and/or if this is something you want to pursue.

### Frequently Asked Questions

#### **How do roads become state-maintained?**

Generally to be eligible for state maintenance, these roads:

- Must have been built and in public use prior to July 1, 1992 (this date changes periodically, check VDOT's website for latest date);
- Must be available for the public to use 24 hours a day;
- The right-of-way must be dedicated to public use, be wide enough, usually 40 feet, to meet minimum safety standards and to permit future maintenance, and be unencumbered by utility placements;
- Must serve at least three (3) occupied homes;
- Must be designed to safely handle the traffic volume; and
- Must connect to other roads already maintained by VDOT.

By law, the Board of Supervisors must take formal action to approve

the addition of these roads to the Secondary System of State Highways and request VDOT to maintain them. They must also identify the source of funding to be used for any improvements that are needed.

The road is **not** eligible for State funding if the following note, or something similar, is on the subdivision plat: “the roads shown on this subdivision plat are private and the homeowner’s association or developers are responsible for maintenance.”

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### **What steps do I follow?**

To initiate the street acceptance process, contact the Department of Community Development to obtain additional information, if needed, or simply download the enclosed petition. Then the following steps occur in order:

1. Homeowners/residents petition Roanoke County to add their road to the Rural Addition priority list (please see current 6-yr Road Plan for most recent priority list).
2. County staff investigates to see if the road meets the criteria listed above and that at least 75% of the property owners have signed the submitted petition.
3. If the road qualifies: preliminary surveying and engineering are completed as soon as possible. Needed right-of-way, easements, and speculative interest are determined and a somewhat detailed cost estimate is made. The funding sources are also identified.
4. Individual and collective meetings are held with all the affected property owners explaining the ramifications of the project.
5. Agreements are signed by the property owners agreeing to pay speculative interest, if it exists, donate the necessary right-of-way, and approval of the design of the road.
6. County staff adds the prospective road to the Rural Addition priority list.
7. The Board of Supervisors takes formal action to request VDOT to add the road to the secondary highway system for maintenance.
8. When construction funding is available, County staff finalizes the construction plans and other documents and forwards project to VDOT for acceptance and construction.
9. VDOT accepts the maintenance responsibility for the road as part of the Secondary system.

This information is intended to summarize, in the broadest possible terms, the eligibility factors and considerations made regarding the addition and improvement of older roads as part of the secondary system of state highways. There may be other issues not addressed in this brochure that may also apply.

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**What if improvements are needed to meet state standards?**

State funds are very limited. However, each year the County is allowed to set aside 5% of its secondary road construction funds to improve roads that are not state maintained. Factors for determining the eligibility of a road and the amount of money that can be allocated for its improvement include:

- if deeds for the land served prohibit the use of state funds;
- if the county's subdivision ordinance is approved by VDOT;
- when the road was established;
- if developers still have a speculative interest that is served by the street;
- if the County authorizes the work;
- if it connects to another street or road maintained by VDOT.

Please refer to the brochure "[\*Upgrading Private Roads to Secondary, State-Maintained Roads & the Options Available to You\*](#)" (available on-line or from the County office) for additional information on funding the necessary improvements to meet State standards.

County staff recommends the establishment of a homeowner's association to maintain the road until funding is available to complete the construction. Historically, this process has taken many years to go from the petitioning stage to acceptance. Staff desires to streamline this process and get your eligible road accepted into the state-maintained secondary system as soon as possible.

References:

- Code of Virginia Title 15.2 and §33.1-69, §33.1-72, and §33.1-129.
- The ***Rural Addition Policy of the Commonwealth Transportation Board*** (available for review at VDOT Offices)

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For additional information, please contact:  
County of Roanoke  
Department of Community Development  
5204 Bernard Drive  
P.O. Box 29800  
Roanoke, Virginia 24018-0798  
(540) 772-2080  
engineering@roanokecountyva.gov

**PETITION**

To add \_\_\_\_\_ to the Roanoke County Rural Addition Priority List

Attn: Roanoke County Department of Community Development

Please review the subject road for consideration of state maintenance under the Rural Addition Priority List. The undersigned taxpaying citizens have maintained this roadway for as long as \_\_\_ years and feel that state maintenance is desirable. We would appreciate your assistance in this matter. We have designated \_\_\_\_\_ (name) as our community point of contact.

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