RESOLUTION
REQUESTING FUNDING THROUGH THE RECREATION ACCESS PROGRAM
TO CONSTRUCT A NEW ENTRANCE AND ROADWAY TO BISCUIT RUN PARK

WHEREAS, Biscuit Run Park is owned by the Commonwealth of Virginia, leased to Albemarle County, and is to be developed by Albemarle County as a nearly 1,200-acre recreational facility serving the residents of Albemarle County and adjoining localities; and

WHEREAS, the property on which this facility will be located has no adequate access to a public street or roadway and will require the construction of a new roadway that will connect to Avon Street Extended (Route 742) and provide access to the first parking area serving a major focal point; and

WHEREAS, the access road is planned to be constructed entirely on publicly owned property as required by Section 33.2-1510(C) of the *Code of Virginia*; and

WHEREAS, the procedure governing the allocation of recreational access funds as set forth in Section 33.2-1510 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; and

WHEREAS, the Board of Supervisors has duly adopted a zoning ordinance pursuant to Article 7 (Section 15.2-2280 et seq), Chapter 22, Title 15.2 of the *Code of Virginia*; and

WHEREAS, it appears to the Board of Supervisors that all requirements of the law have been met to permit the Director of the Department of Conservation and Recreation to designate Biscuit Run Park as a public recreational facility and further permit the Commonwealth Transportation Board to provide funds for access to this public recreation area in accordance with Section 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Board agrees, in keeping with the intent of Section 33.2-405 of the *Code of Virginia*, to use its good offices to reasonably protect the aesthetic or cultural value of this road leading to or within areas of historical, natural or recreational significance; and

WHEREAS, the County of Albemarle acknowledges that no land disturbance activities may occur within the limits of the proposed access project without the permission of the Department of Transportation as a condition of the use of the Recreational Access Fund; and

WHEREAS, Albemarle County hereby guarantees that the necessary environmental analysis, mitigation, and fee simple right of way for this improvement, and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Albemarle County hereby requests that the Director of the Department of Conservation and Recreation (a) designate Biscuit Run Park as a public recreational area and (b) recommend to the Commonwealth Transportation Board that recreational access funds be allocated for an adequate access road to serve said park;

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; and

BE IT FURTHER RESOLVED, that the County Executive and/or his designee(s) are authorized to act on behalf of the Board of Supervisors to execute any and all documents necessary to secure the funding sought through the Recreational Access Program up to, but not exceeding, $350,000 in State funds, to be matched with not less than $100,000 in Local funds.

I, Claudette K. Borgerson, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County by a vote of _____ to _____, as recorded below, at a meeting held on December 18, 2019.

_____
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Dill	____	____
Mr. Gallaway	____	____
Ms. Mallek	____	____
Ms. McKeel	____	____
Ms. Palmer	____	____
Mr. Randolph	____	____