

# UNPAVED ROAD POLICIES AND REVIEW PROCESS

April 2025

## Background

Since The 1980s, the County Boards of Supervisors have considered road paving as a low priority initiative. The Albemarle County Comprehensive Plan recommends that funding for infrastructure improvements should be directed to the Development Areas to support growth management policies. Most unpaved roads are in the Rural Area (RA) and there is concern that the paving of roads can change the character of the RA and may lead to new traffic management issues, primarily concerning speeding.

Based on those factors, County staff does not proactively inventory, evaluate, or prioritize unpaved roads for paving. The Board and staff have typically relied on public requests to identify potential need and, most importantly, community support for road paving projects. The County has typically applied only the minimum funding available/required for unpaved roads.

State funding allocated to a locality for paving unpaved roads previously could only be used for hard surfacing of unpaved public roads. Following a change to *Virginia Code* § 33.2-359 in 2024, localities may now utilize Unpaved Road funds to make improvements to unpaved roads without hard surfacing the road. A separate document titled the Albemarle County Unpaved Road Improvement Program describes this new program in detail.

## Unpaved Road Project Review, Prioritization, and Construction

### Initial Review of Request

A request to pave a public road can be made by any owner of an occupied parcel on the unpaved road, or lives on a road that gets its primary access from the unpaved road. The request can be made by letter, email, or phone call to County staff. After the request is received by staff the following steps are taken:

- 1. County staff determines the specific concern with the road**
  - a. Occasionally, the primary concern can be addressed through means other than paving (drainage concerns, unsafe curves/blind spots, no shoulders).
- 2. Staff verifies that there is general interest/support from residents in the area/along the road.**
  - a. Staff provides the requesting resident(s) with the Rural Rustic (RR) Resident Paving Toolkit and a list of residences that require feedback. At least two-thirds of the owners of occupied parcels abutting the segment requesting to be paved, and any adjacent segments with primary access from the segment requesting to be paved, must show support for paving. When determining the percentage of owners in agreement, an owner owning more than one parcel abutting the road in question is equivalent to an owner owning one parcel.
  - b. Paving requests must be made before November 1 to be eligible to be included in the upcoming SSYP, with a deadline to demonstrate resident support by February 1.

If support is not demonstrated, staff will ask the BOS if they would like to add the requested road to the “**UNPAVED ROADS SECTIONS REMOVED BY BOARD OF SUPERVISORS**” list (see 9).

- c. If only a portion of the road is requested to be paved, the determining factor for being affected is if the driveway touches the unpaved portion of the road.
  - d. Once the project is nearing full funding, affected community is contacted (see 10.)
- 3. Once the 2/3 support is demonstrated, the road section is evaluated by VDOT staff to determine:**
- a. If the road section is eligible for paving.
  - b. If so, does it meet RR paving program standards.
    - a. If a road is not eligible to be paved, the road is added to a list titled “**UNPAVED ROADS NOT SUITABLE FOR RURAL RUSTIC PAVING**”. The only way for a road to be removed from this list is by review of VDOT.
  - c. If there are other more effective methods to address the primary concerns with the road conditions (spots improvement in lieu paving full length of road).
- 4. Based on direction of a prior Board, RR eligible projects and non-RR eligible projects are separated into two (2) distinct lists.**

### Prioritizing Projects

- 5. The Board has prioritized RR eligible projects over non-RR/conventional road paving.**
- a. RR paving is more consistent with maintaining the character of the RA.
  - b. RR minimizes impacts to adjacent properties and existing character of the road.
  - c. RR is more cost effective/less costly to pave.
- 6. New/eligible paving requests are evaluated and prioritized using the following criteria:**
- a. located within and/or serving the Development Areas.
  - b. traffic volumes;
  - c. crash data;
  - d. surface condition/unique maintenance issues; and
  - e. through vs. dead-end road (through road is higher priority).
- The following may also be considered as necessary in project ranking:**
- f. road geometrics, primarily road width; and
  - g. functional classification.
- 7. By direction of the Board all projects, including those newly added to the paving list, should be prioritized by this same standard. This will entail reprioritizing all projects each**

- year and may result in new projects moving above older ones.** The schedule for prioritizing, funding, and implementation of paving projects is such that projects funded in the first year of the SSYP will have already been determined and property owner notification will have been completed to allow engineering and environmental work to begin immediately after the SSYP is approved. Therefore, projects funded in the first year of the SSYP will not be included in any reprioritization to ensure VDOT can move forward with project scheduling as necessary.
- 8. Each year, typically in early Spring, the Board approves the Albemarle County Priority List for Secondary Road Improvements - Unpaved Roads, and the draft SSYP, which is then used to develop the SSYP which is approved in late Spring following a public hearing.**
  - 9. A list titled “UNPAVED ROADS SECTIONS REMOVED BY BOARD OF SUPERVISORS” is kept for roads that were appropriately requested to be paved and received 2/3 support from residents, but the Board of Supervisors has determined to remove it from the “Paving Priority” list during the annual Spring update.**
    - d. Roads placed on the Unpaved Roads Sections Removed by the Board of Supervisors list will remain there until the Board votes to place it on the Paving Priority list.
    - e. A new request for paving must be submitted, as described in Section 2 above, to have the Board reconsider a road segment for paving.
    - f. Roads on this list are eligible to be reconsidered for paving six years from when they were put on.

### Construction

- 10. Prior to construction, as a project approaches full funding (year of construction), the Board adopted public notice procedure is followed,** which is to notify property owners along the road section to be paved of the upcoming project and provide an opportunity to ask questions about, or comment on, the project. The SSYP is presented at a public hearing to the Board of Supervisors, where final comments and edits can be made. This public hearing concludes with the adoption of the SSYP. Staff return in June with resolutions for each of the roads added to the SSYP that year so that VDOT can move forward with paving.