

Comprehensive Roadside Management Program

CHAPTER 121.

24 VAC 30-121-10. Purpose.

The Comprehensive Roadside Management Program (program) is administered by the Virginia Department of Transportation (department), and enables private businesses, civic organizations, communities, individuals and local governments an opportunity to improve the appearance and safety of the state maintained right-of-way or real property, herein referred to as right-of-way, by participating in the project development, establishment, and maintenance of landscaping activities within the state maintained right-of-way. This chapter sets forth policies and procedures governing the program.

24 VAC 30-121-20. Participation.

A. Eligible entities. A local government, private business, community, individual, or civic organization may fully fund the development, establishment, [~~and~~ or] maintenance [, or any combination of these,] of landscaping a segment of the right-of-way upon application [to,] and approval [~~of~~ by,] a designated department representative. Such entities are eligible to participate as:

1. A single local government;
2. A local government partnership between one or more contiguous local governments;
- or
3. A private business, civic organization, community or individual through sponsorship by a local government or local government partnership. Such entities are eligible to participate as a donor through the local government by providing to the local government cash or non-cash contributions.

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B. Acknowledgement signs. Signs acknowledging the name or logo, or both, of participating entities may be authorized for erection at the project site in accordance with 24 VAC 30-121-40

D 2. However, no acknowledgment signs installed pursuant to this program shall remain in place for more than 10 years.

C. In addition to the specifications in 24 VAC 30-121-40 D 2, in order to be recognized on an acknowledgement sign, an entity must provide a minimum cash or in-kind contribution to the permittee for the landscaping activity as specified below. Such contribution shall [~~guarantee the~~ allow an] acknowledgement sign for five years [, unless the need arises for removal or relocation of the sign]. Cost of the acknowledgement sign shall not count toward the minimum contribution requirement.

1. Noncontrolled access primary and secondary highways: \$7,500 contribution.
2. Controlled access primary and secondary highways: \$8,500 contribution.
3. Interchanges on controlled access primary and secondary highways: \$10,000 contribution.
4. Interstate interchanges: \$20,000 contribution.

24 VAC 30-121-30. Application requirements.

A. All program activities must be applied for by the local governments within the jurisdiction in which the activity is proposed to occur in accordance with the General Rules and Regulations of the Commonwealth Transportation Board (24 VAC 30-20-20 and 24 VAC 30-20-80), and the Land Use Permit Manual (24 VAC 30-150). The Land Use Permit Manual and the general rules may be obtained from the [~~Local Assistance~~ Asset Management] Division, Virginia Department of Transportation, 1401 E. Broad Street, Richmond, Virginia 23219, or by accessing the Virginia

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Administrative Code website at <http://legl.state.va.us/000/reg/TOC24030.HTM>.

1. Single activity or segment permit. A local government may apply for a permit for each individual proposed activity or for all proposed activities on a specific route.
2. Jurisdiction-wide permit. A local government may apply for a jurisdiction-wide permit to cover all proposed activities occurring within that local government's jurisdictional boundaries on the right-of-way. Such jurisdiction-wide permits must be renewed on an annual basis from the date of permit issuance.

B. The application shall be in the form prescribed by [24 VAC 30-150 the Land Use Permit Manual] and shall at a minimum include:

1. The name, telephone number, and complete mailing address of the local government and the authorized local government representative who shall be officially designated by the local government as having full administrative and operational authority over all proposed activities;
2. A maintenance agreement that outlines obligated specific maintenance activities and responsibilities, projected maintenance costs, and related funding commitments necessary to ensure areas are maintained and performing as originally permitted; and
3. A formal resolution [of endorsement] from the local governing body, adopted subsequent to a public hearing during which the proposed landscaping activities are made available for review. The local governing body shall provide written notification to the department of its intention to hold such a hearing no later than 14 days prior to such hearing. Such notification shall be made to the Asset Management Division Administrator, Virginia Department of Transportation, 1401 E. Broad Street,

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Richmond, Virginia 23219.

24 VAC 30-121-40. Conditions.

A. In order to participate in the program, each project must comply with the Land Use Permit Manual [(24 VAC 30-150)] and the following general, site, and design considerations.

B. General considerations. The following general considerations apply to any permitted activity:

1. Qualifications. All work shall be performed by qualified local government personnel or qualified individuals acting as an agent of the permitted local government.
2. Compliance. Such work shall comply with all departmental specifications, standards, policies, and guidance and all applicable federal, state, and local government policies, laws, regulations, and ordinances.
3. Improvement. Any permitted activity must ensure a net improvement to existing right-of-way conditions and impose no net operational or financial burden to the department as determined by the department.
4. The permittee shall be responsible for the maintenance of the permitted areas in perpetuity. In the event the permittee fails to adequately maintain the improvements, the department may, at its discretion, revoke the permit. Prior to such revocation, the department may, at its discretion and at the permittee's expense, return the permitted area to its original condition.
5. The master plan, project concept plan, sketches, drawings, estimates, specifications, and descriptive text of all activities and any required federal, state, or local permits shall be available for review by the department at all times.

C. Site considerations. For sites to be approved by the department, the following site conditions

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must be met. The site must:

1. Not be scheduled for future construction as defined within the department's current six-year improvement plan which would conflict with the activities proposed on the project;
2. Contain sufficient right-of-way to reasonably permit planting and landscaping operations without conflicting with safety, geometric, and maintenance considerations,
3. Not contain overhead or underground utilities, driveways, pavement, sidewalks, or highway system fixtures including traffic signage or signalization which will conflict with the planting or landscaping operations proposed under the project; and
4. Not obstruct or interfere with existing drainage conditions along the site.

D. Design considerations. For sites to be approved by the department, the following design considerations must be met.

1. The project design shall not include the following design elements:
 - a. Lighting;
 - b. Flagpoles or pennant poles;
 - c. Fountains or water features;
 - d. Landscaping that depicts or represents any logo, name, or constitutes an advertisement in any form; [Ø]
 - e. statuary, sculpture, or other art objects[- ;]
 - [f. Pruning or cutting within highway rights-of-way of vegetation with trunk base diameter greater than 4 inches, unless approved by the District Roadside Manager;

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g. Any improvements intended to provide greater visibility to any existing or future business, advertisement or advertising structure; or

h. Any improvements that obscure or interfere with the view of existing lawfully erected advertising structures from the main traveled way.]

2. Acknowledgement signs and structures installed pursuant to this program must meet the following design specifications:

a. Panels per sign structure: a maximum of two acknowledgement panels per sign structure.

b. Panel dimensions: 6 feet wide by 20 inches tall; 3 inches corner radii; 1.5 inch - 2 inches thick.

c. Sign Material: high density sign foam or equivalent.

d. Background color options: dark blue [(Pantone Matching System #288 or equivalent as determined by Asset Management Division)], dark burgundy, [(Pantone Matching System #188 or equivalent as determined by Asset Management Division)], dark green [(Pantone Matching System #349 or equivalent as determined by Asset Management Division)], or off-white [(Pantone Matching System Cool Gray 1 or equivalent as determined by Asset Management Division)].

e. Sign border: must be inset 1 inch from outside edge to a ¾-inch wide border formed by sandblasting or routing a depth of ¼-inch to ½-inch; color must be ~~white~~ off-white (Pantone Matching System Cool Gray 1 or equivalent as determined by Asset Management Division))] if dark background or dark [blue (Pantone Matching System #288 or equivalent as determined by Asset

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Management Division), dark burgundy, (Pantone Matching System #188 or equivalent as determined by Asset Management Division)), dark green, (Pantone Matching System #349 or equivalent as determined by Asset Management Division),] if [off-]white background.

- f. Acknowledgement content: a single sponsoring entity may be represented per panel; the representation may be placed within but no closer than ½[-]inch inside the border and formed by sandblasting or routing a depth of ¼ inch to ½ inch.
- [g. The words “Landscaping by” must be included in the upper left hand area of the border and must be a minimum of 3 inches tall. The border must be broken and the color of the “Landscaping by” must be the same as the border.
- h. Installation: the bottom of the sign at its closet point to the ground shall not be greater than 30 inches above the ground. The distance between panels shall not exceed 4 inches. Post height shall not exceed 5 inches above the top of the highest panel, with the top one inch trimmed at a 45-degree angle. Post stain color must be a solid gray (Pantone Matching System # 423 or equivalent as determined by the Asset Management Division).]
3. In the event an acknowledgement sign structure or panel is damaged, the permittee shall be responsible for repairing or replacing the sign.
4. Acknowledgement sign structures installed pursuant to this program may be placed within the right-of-way at the following locations:

 - a. Noncontrolled access primary and secondary highways [with speed limits of 45 mph or less]: no greater than one acknowledgement sign structure per direction per

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[1/2 1/4] mile of main traveled way.

[b. Non-controlled access primary and secondary highways with speed limits greater than 45 mph: one acknowledgement sign structure per direction per 1/2 mile of main traveled way.

c. Controlled access primary and secondary highways with speed limits of 45 mph or less: no greater than one acknowledgement sign structure per direction per 1/4 mile of main traveled way except as specified in subdivision 4 e of this subsection.]

[~~b~~ d]. Controlled access primary and secondary highways [with speed limits greater than 45 mph]: no greater than one acknowledgement sign structure per direction per 1/2 mile of main traveled way except as specified in subdivision 4 e of this subsection.

[e e]. Interchanges on controlled access interstates, primary and secondary highways: no greater than one acknowledgement sign structure per turning roadway [~~with no more than one panel per acknowledgement sign structure~~].

Forms:

Land Use Permit Manual Application Form CE-7 (Revised 10/2003)

CERTIFICATION

I certify that this regulation is full, true, and correctly dated.

Acting Commonwealth Transportation Commissioner
Gregory A. Whirley

Date