



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Agenda item # 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 18, 2024

MOTION

Made By: Ms. Hynes, **Seconded By:** Mr. Kasprowicz
Action: Motion carried, unanimously.

Title: Discontinuance – Primary System of State Highways Route 123 in Fairfax County

WHEREAS, Project 0123-029-F11, C501 constructed a new alignment resulting in a relocation of Route 123 in Fairfax County; and

WHEREAS, a segment of Route 123, located in Fairfax County, measuring approximately 0.20 of a mile, is no longer necessary for the uses of the Primary state highway system, and therefore no longer provides a public convenience that warrants maintenance at public expense, rendering it eligible for discontinuance; and

WHEREAS, the Fairfax County Board of Supervisors has approved a resolution dated April 16, 2024, attached hereto as Exhibit A, requesting the discontinuance of a portion of Route 123, described as Segment A1-B1-B2, and measuring approximately 0.20 mile, as seen in the map attached hereto as Exhibit B; and

WHEREAS, pursuant to § 33.2-901 of the *Code of Virginia*, a section of highway may be discontinued from the Primary state highway system by the Commissioner of Highways, with the approval of the Commonwealth Transportation Board, if the highway is deemed to be no longer necessary for the uses of the primary state highway system when a part of the highway has been or is straightened or the location of a part of it is altered; and

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board approves the discontinuance of the roadway segment identified below and as depicted on Exhibit B attached hereto, as part of the primary system of state highways, pursuant to §33.2-901, *Code of Virginia*, as the roadway is no longer necessary for the uses of the Primary state highway system and is no longer providing sufficient public convenience to warrant maintenance at public expense.

Primary System of State Highways

Discontinuance

Northern Virginia District

Fairfax County

- Route 123

0.20 Mi.

Total Mileage Discontinued from the Primary System:

0.20 Mi.

####

CTB Decision Brief

Discontinuance – Primary System of State Highways Portion of Route 123 in Fairfax County

Issue: The Virginia Department of Transportation (VDOT), with the support of the Fairfax County Board of Supervisors, proposes to discontinue a portion of Route 123 in Fairfax County, totaling 0.20 of a mile in length. This proposed discontinuance is a result of VDOT Project 0123-029-F11, C501. Pursuant to §33.2-901 of the *Code of Virginia*, said discontinuance must be approved by the Commonwealth Transportation Board (Board).

Facts: VDOT Project 0123-029-F11, C501 includes the relocation of Route 123. Upon review of the area, VDOT staff determined that a portion of Route 123 should be discontinued as a part of the Primary System of State Highways, pursuant to § 33.2-901 of the *Code of Virginia*, as the portion of Route 123 is no longer necessary for the uses of the Primary state highway system, and therefore no longer provide a public convenience that warrants maintenance at public expense due to the construction and realignment of Route 123. This discontinuance is being requested by VDOT to maintain a shared use path and to access drainage facilities.

The Fairfax County Board of Supervisors approved a resolution on April 16, 2024 (Exhibit A, attached), supporting the Board's discontinuance of the segment of Route 123 (road noted in "Yellow" as Segment A1-B1-B2 on Exhibit B, attached), which is located in Fairfax County.

Recommendation: VDOT recommends the Board approve the discontinuance of the segment of Route 123 referenced above.

Action Required by CTB: The *Code of Virginia* requires a majority of the Board's members to approve the proposed discontinuance. A draft resolution and an exhibit describing the proposed road segments to be discontinued is provided for the Board's consideration.

Result if Approved: If approved, VDOT will suspend all its maintenance activity on the roadway segments.

Options: Approve, Deny or Defer

Public Comments/Reaction: Section 33.2-901 does not include a public notification requirement, but information regarding proposed changes to the highway system inventories was made publicly available during the planning and construction phases of VDOT Project 0100-077-105. VDOT (Commonwealth of Virginia) is the only property owner that is affected by the proposed discontinuance. This discontinuance is being requested by VDOT to maintain a shared use path and to access drainage facilities. The Department has received no objections regarding the proposed discontinuance.

Exhibit A

Fairfax County Board of Supervisors' Resolution

RESOLUTION

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
ABANDONMENTS, ADDITIONS, DISCONTINUANCE, AND TRANSFER
OX ROAD, AVERETT DRIVE

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at 12000 Government Center Parkway, Fairfax, Virginia, on April 16, 2024, at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, the Virginia Department of Transportation has completed the Project #0123-029- F11 C501, Ox Road Realignment, which improved Ox Road (Route 123); and

WHEREAS, the project sketch and link sheet, attached and incorporated herein as attachments, defines adjustments required in the Primary and Secondary System of State Highways as a result of Project #0123-029-F11 C501; and

WHEREAS, Ox Road was realigned and various roads were relocated, extended, or realigned as a result of the completion of the Virginia Department of Transportation project; and such roads are identified on the project sketch and link sheet to be abandoned, discontinued, transferred, and added, due to the improvement project of Ox Road;

NOW THEREFORE, BE IT RESOLVED, that this Board hereby requests that the Virginia Department of Transportation abandon the portion of Route 8511, identified on the project sketch and link sheet, from the Secondary System of State Highways, pursuant to §33.2-912 of the Code of Virginia; add the portion of Route 8511, identified on the project sketch and link sheet, to the Secondary System of State Highways, pursuant to §33.2-705 of the Code of Virginia and add the portion of Route 123, identified on the project sketch and link sheet, to the Primary System of State Highways, pursuant to §33.2-310 and §33.2-314; ~~discontinue~~ the portion of Route 123, identified on the project sketch and link sheet, from the Primary System of State Highways, pursuant to §33.2-901; and transfer the portion of Route 123, identified on the project sketch and link sheet, from the Primary System of State Highways to the Secondary System of State Highways as Route 8475, pursuant to §33.2-315B. A copy of this resolution will be forwarded to the Resident Engineer for the Virginia Department of Transportation.

ADOPTED this 16th day of April, 2024.

A Copy Teste:



Jill G. Cooper

Clerk for the Board of Supervisors

Exhibit B

Sketch Including Proposed Road Segment to be Discontinued Route 123, Segment A1-B1-B2, noted in Yellow

