

**MVCCA TRANS 2008-04**

**Stop Waiving the Building of Trails or Build Trails at Alternative Location**

WHEREAS, the Mount Vernon Magisterial District (District) does not have adequate sidewalks or trails along bus routes or secondary roads to provide pedestrian-friendly communities; and

WHEREAS, Fairfax County policy, at the time of a rezoning land for redevelopment, has been to allow developers to waive the building of sidewalks or trails at its current location by placing monetary funds (proffer) in escrow for future building of the trails;

WHEREAS, delayed building of sidewalks or trails generally results in the costs associated with building the sidewalks or trails to increase beyond the escrowed amount of money obtained with the waiver thereby resulting in sidewalks or trails never being built and;

WHEREAS, the monetary proffer does not provide the infrastructure that is needed (sidewalks and trails) and developers may be able to build needed sidewalks or trails in other nearby areas with less money than is currently being proffered;

WHEREAS, maintenance of existing sidewalks or trails does not appear to be funded, nor is it clear which agency (FCDOT, VDOT, another entity such as the Fairfax County Park Authority) is responsible for maintaining these important pedestrian roads;

THEREFORE BE IT RESOLVED that the Mount Vernon Council of Citizens' Associations (MVCCA) urges the Fairfax County Board of Supervisors and Fairfax County Department of Public Works and Environmental Sciences (DPWES) or Planning and Zoning staff to 1) stop issuing waivers of sidewalks or trails when approving applications for development or redevelopment of the property; 2) if a sidewalk or trail cannot possibly be built at the place of development, then Fairfax County DPWES or Planning and Zoning staff should require a proffer to build a needed sidewalk or trail of the same length in a nearby location; or 3) if there are no needed existing sidewalks or trails, the developer must proffer a monetary amount equal to FCDOT's estimate of the costs to build the length of waived sidewalk or trail and that money must be escrowed for maintaining existing sidewalks or trails in the District;

BE IT FURTHER RESOLVED that if a waiver is obtained and a monetary fund is proffered, the MVCCA request that the Mount Vernon Magisterial Supervisor be notified, the Fairfax County accounting office records the initial payment(s) and tracks the sidewalk/trail maintenance escrow fund so appropriate County agency and/or staff is aware that monies are available for maintaining existing sidewalks/trails in the District.

**Approved by the MVCCA General Council Nov 19, 2008**