



Date of Council Meeting: September 12, 2016

**TOWN OF LEESBURG
TOWN WORK SESSION**

Informational Memo

Subject: “Local traffic only” enforcement on Battlefield Parkway during designated hours.

Staff Contact: Barbara Notar, Town Attorney
Vanessa Grigsby, Deputy Chief Leesburg Police Department
Renée LaFollette, Director Public Works & Capital Projects

Council Action Requested: None. Information only.

Staff Recommendation: Not applicable.

Commission Recommendation: Not applicable.

Fiscal Impact: Not applicable.

Work Plan Impact: None.

Executive Summary: Staff has been asked to research whether the Town can institute and enforce a “local traffic” only provision for the section of Battlefield Parkway, between the Route 15 Bypass and Edwards Ferry Road during designated hours surrounding rush hour. The Town does not have the authority to restrict traffic to local drivers only.

Background: Traffic on Route 15 North suffers from significant back-ups during rush hour. These backups then impact Battlefield Parkway and nearby neighborhood streets as out-of-town and out-of-state vehicles use those roads as “cut-throughs” to access Rt. 15 North. Staff was asked to research whether certain portions of Battlefield Parkway – from the Route 15 Bypass to Edwards Ferry Road – could be restricted to local traffic only during designated hours. It is Staff’s opinion that the Town does not have the authority to impose such a restriction.

Virginia Code § 46.2-809.1 permits the Commonwealth Transportation Board to develop a residential cut-through traffic policy and procedure for the control of residential cut-through traffic on designated secondary highways. However, this section explicitly states, “[t]he provisions of this section shall not apply in (i) cities, (ii) any town that maintains its own system of streets, and (iii) any county that owns, operates, and maintains its own system of highways.” (Emphasis added.) Because of this prohibition, the Town is not

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permitted to enact an ordinance addressing residential cut-through traffic. This includes restricting traffic to local drivers only.

A restriction to “local only” traffic limits a certain class of drivers from accessing Battlefield Parkway. The General Assembly has not conferred upon localities this type of power. The General Assembly, however, has conferred upon localities specific powers to regulate the operation of vehicles on their highways. Specific to the Town, Virginia Code Section 46.2-1300, permits Town Council, by ordinance, to authorize the Town Manager to regulate the operation of vehicles, and specifically increase or decrease the speed limit with Town boundaries and authorize the reduction in speed limit for not more than 60 days while construction or repair is performed. These powers allow the Town to regulate *how* vehicles are operated, not *who* operates such vehicles.

The Town may choose to erect “no turn” signs during specific hours. This is supported by Town Code §§ 32-112; 32-113, which prohibit certain right and left turns. However, the Town cannot restrict non-local drivers.

From a transportation network perspective, limiting Battlefield Parkway between Edwards Ferry Road and the Bypass to local traffic only would have a negative impact. It is vital that a suitable network exist. Roads like Battlefield Parkway, a divided four-lane minor or major arterial, is necessary to move traffic efficiently and to keep that volume of traffic from diverting onto local residential streets. Another aspect of the network is that the routes available do not create a major increase in distance required to travel which tends to lead into an increase in speeding, putting large vehicles and larger volumes of traffic onto unsuitable locations on residential streets that were not designed for the increased traffic will result in increased road maintenance costs, and it can lead to congestion within the residential areas.

Staff has started to notice some cut through traffic on Plaza Street during the p.m. peak and this is anticipated to increase and potentially spread to Catocin Circle and North King Street if a local traffic only restriction were placed on Battlefield Parkway.