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**2009 COMMUNITY & ECONOMIC DEVELOPMENT POLICY  
STATEMENT**

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4 Community and economic development are  
5 essential to the continued vitality of the  
6 Commonwealth of Virginia. VML urges the  
7 state to continue to allow localities to  
8 participate in the evolution and use of the  
9 state economic development strategic plan.  
10 Realizing the importance of the sense of  
11 community, VML supports legislation that  
12 would encourage state and local cooperation  
13 efforts that would deter crime and promote  
14 maintenance of property in neighborhoods.  
15  
16 Incentive programs, such as the Governor's  
17 Development Opportunity Fund and the  
18 Virginia Enterprise Zone Program are  
19 important economic development tools,  
20 particularly in a challenging economy. The  
21 state should strive to fully fund programs  
22 that strengthen local governments'  
23 commercial and industrial tax bases to  
24 reduce pressure on the residential real estate  
25 tax base.

**HOUSING**

28 VML urges state and local governing bodies  
29 to develop and maintain a balanced housing  
30 mix, including affordable housing. Local  
31 officials are in the best position to determine  
32 that mixture. Local governments must be  
33 fully involved in the decisions on the  
34 placement of affordable housing in their  
35 jurisdictions. Procedures involving the  
36 granting of tax credits for projects must  
37 involve local governing bodies. Any  
38 locality that issues a Section 8 housing  
39 certificate should have housing available in  
40 the jurisdiction for the certificate's holder, to  
41 prevent persons who are granted Section 8  
42 certificates from having to leave their home  
43 jurisdiction in order to find housing.

44  
45 VML supports state funding for affordable  
46 housing.

**ZONING INCENTIVES FOR IN-FILL  
DEVELOPMENT AND  
REDEVELOPMENT**

50 The state code provisions on zoning  
51 authority should continue to ensure that  
52 local governments have a full range of  
53 authority to promote affordable housing,  
54 including enabling legislation to give  
55 localities the power to facilitate in-fill  
56 development, redevelopment and mixing of  
57 uses in redevelopment projects. Therefore,  
58 the code must not be changed to limit local  
59 governments' authority to enact land use  
60 regulations for the benefits of all citizens of  
61 a locality.

**RENTAL INSPECTIONS PROGRAMS**

64 Local governments should retain all current  
65 authority to adopt and maintain rental  
66 inspection programs to protect the health  
67 and safety of the citizens of the  
68 Commonwealth.

**PLANNING AND LAND USE**

70 Planning and land use control are two of  
71 local government's most important  
72 functions. Localities should maintain  
73 control of local land use decisions. Neither  
74 the state nor federal government should  
75 usurp a locality's power to make such  
76 decisions. All localities should be guided by  
77 their comprehensive plan for future  
78 development. The General Assembly  
79 should allow local governments to exercise  
80 land use authority in the manner that the  
81 local government deems appropriate for its  
82 circumstances. Coordination of local land  
83 use planning and transportation planning  
84 improves the ability of all levels of  
85 government to deal with and manage  
86 growth-related issues the Commonwealth  
87 faces in the long-term.

1 The General Assembly should enhance local  
2 government's ability to implement their  
3 carefully developed comprehensive plans by  
4 authorizing a complete spectrum of land use  
5 and growth management tools and should  
6 allow localities more creative, locally  
7 initiated planning and land use mechanisms.  
8 Examples of land use and growth  
9 management tools that localities should be  
10 authorized to use include impact fees,  
11 including the authority to finance the cost of  
12 growth and offset local infrastructure costs  
13 attributable to development; proffers;  
14 transferable development rights and  
15 adequate public facility ordinances.  
16  
17 When a county's transfer of development  
18 rights program includes lands adjacent to a  
19 city or town, the General Assembly should  
20 provide the municipality authority to fully  
21 participate in the decisions on transferring  
22 such rights when it is determined by the  
23 municipality that the land-use change will  
24 impact its citizens.  
25  
26 VML supports the state's exploration of  
27 sustainable development, provided that there  
28 is not an effort to supplant the authority of  
29 local governments to determine their own  
30 land use policies, and encourages the  
31 consideration of incentives for localities to  
32 implement sustainable development  
33 approaches.  
34  
35 State agencies should be required to comply  
36 with local comprehensive plans and local  
37 land use regulations and policies, subject to  
38 override by the governor.  
39  
40 The General Assembly should give localities  
41 the authority to remove abandoned/blighted  
42 structures in a more timely manner by  
43 reducing the lengthy procedures of  
44 identifying and notifying all owners and lien  
45 holders of the property. Further, VML  
46 supports strengthening the minimum  
47 housing maintenance code.

48  
49 VML supports enhanced redevelopment  
50 opportunities through the adoption of an  
51 urban policy for the commonwealth, and  
52 implementation of growth management  
53 policies that encourage growth and  
54 economic development in urban areas.  
55  
56 VML should seek amendments to *Code of*  
57 *Virginia*, § 15.2-2307 to make it clear that  
58 the vested rights law is prospective only and  
59 further, to ensure that local governments  
60 have the authority to amend zoning  
61 ordinances in the future.  
62  
63 The state should not enact any legislation,  
64 under the name of private property  
65 protection law, that seeks to weaken local  
66 powers to regulate land uses and protect the  
67 community's health, safety and welfare, or  
68 that requires additional compensation  
69 beyond the interpretation of the Fifth  
70 Amendment of the U.S. Constitution and  
71 Article I, section II of the Virginia  
72 Constitution.  
73 VML opposes any additional legislation that  
74 would exempt religious organizations from  
75 neutral, generally applicable local  
76 ordinances, and in particular, local zoning  
77 and public safety ordinances.  
78

**79 SHARED COSTS WITH PROPERTY**  
**80 OWNERS**

- 81 The General Assembly should:
- 82 • Grant all local governments the ability to
  - 83 assess impact fees at the time of site
  - 84 development approval to pay for the
  - 85 related costs of new development;
  - 86 • Extend to all localities the same level of
  - 87 authority for conditional zoning to
  - 88 address off-and on-site transportation
  - 89 issues as is granted to Northern Virginia
  - 90 and Eastern Shore;
  - 91 • Grant localities the authority to require
  - 92 land developers to pay their pro-rata
  - 93 share of the costs of supplying necessary

1 roads adjacent to property they are  
2 developing; and  
3 • Remove the 10-year time limit for use of  
4 impact fees received by the locality.

5  
6 **RESPONSIBLE GROWTH**  
7 **MANAGEMENT**

8 Current state land use authority is often  
9 inadequate to allow local governments to  
10 provide for growth in a manner that protects  
11 and improves the quality of life in our  
12 communities. Therefore, the General  
13 Assembly should authorize local  
14 governments to implement growth  
15 management policies such as adequate  
16 public facilities ordinances and impact fees  
17 in order to enable localities to facilitate  
18 orderly, rational growth in a manner  
19 appropriate to their communities.

20  
21 Local governments must also retain current  
22 authority in the state code to use conditional  
23 zoning rules to balance the financial impact  
24 created by residential and other development  
25 in addition to adopting new powers such as  
26 adequate public facilities, adequate  
27 educational facilities and impact fee  
28 legislation.

29  
30 **MANUFACTURED HOUSING BY**  
31 **RIGHT**

32 Local governments should retain the  
33 authority to plan for the appropriate mix of

34 residential structures in their communities,  
35 and should retain full authority to regulate  
36 the placement of manufactured homes,  
37 without state intervention.

38  
39 **URBAN REDEVELOPMENT**

40 VML supports enhanced redevelopment  
41 opportunities through the adoption of an  
42 urban policy for the Commonwealth, and  
43 implementation of growth management  
44 policies that encourage growth and  
45 economic development in urban areas.

46  
47 **SUBDIVISION STREET STANDARDS**

48 Local governments should have authority to  
49 modify standards for street pavement and  
50 right-of-way widths, including streets  
51 brought into the system that do not meet  
52 VDOT standards, that are beneficial to good  
53 planning; public safety; and the well-being  
54 of the residents, without diminishing state  
55 funding for street maintenance payments.

56  
57 **VARIANCES, SPECIAL EXCEPTIONS**  
58 **& CONDITIONAL USE PERMITS**

59 VML maintains that the law on variances  
60 should be retained in its current form.  
61 Because land use is controlled at the local  
62 level, the General Assembly should not  
63 require any specific procedures for special  
64 exceptions, conditional use permits or  
65 similar land use decisions.

66  
67