
2017 COMMUNITY & ECONOMIC DEVELOPMENT POLICY STATEMENT

Continued community and economic development are essential to the vitality of the Commonwealth of Virginia. VML urges the state to partner with localities to develop and carry out the state economic development strategic plan.

VML realizes the importance of communities and neighborhoods, and supports legislation to encourage state and local cooperation efforts that would deter crime, promote maintenance and safety of property in neighborhoods, and improve the livability of Virginia's cities, towns and counties.

VML encourages local governments to work together in regional efforts to improve the quality of life and economic development opportunities and encourages the state to support such regional efforts in collaboration with local elected officials.

Incentive programs, such as GO Virginia, the Commonwealth's Opportunity Fund and the Virginia Enterprise Zone Program are important economic development tools, particularly in a challenging economy. The state should work with local governments to ensure that economic development efforts focus on improving opportunities in economically troubled areas

Appropriate efforts include grants and state tax incentives and efforts to assist minority and women-owned businesses. The state should strive to fully fund programs that strengthen local governments' commercial and industrial tax bases to reduce pressure on the residential real estate tax base.

HOUSING

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

VML supports state funding for affordable housing.

The state should take the lead and work with local governments to encourage the development of mixed income development and redevelopment, coupled with support for mixed use projects.

The Commonwealth should give high priority to approval and funding of low income housing tax credit projects that incorporate affordable and subsidized units into mixed use/mixed income developments. Such projects should include a substantial share of market rate housing.

BLIGHT AND NEIGHBORHOOD PRESERVATION

The General Assembly should broaden the laws on dealing with blight and dealing with building permits issued for repairs or renovation to require timely completion of the work or, failing a legitimate plan by the owner, diligently pursued, to complete the

work, authorizing local government action to correct the health and public safety problems created by projects that are not completed and to either seize available assets of the owner and use them to fund corrective action, or recover the locality's costs on a priority basis in the same manner as unpaid taxes. Further, the definition of derelict building should be expanded to include buildings which are never completed to a condition that would meet the definition in Virginia Code Section 15-2.907.1.

VML supports strengthening the minimum housing maintenance code.

ZONING INCENTIVES FOR IN-FILL DEVELOPMENT AND REDEVELOPMENT

The state code provisions on zoning authority should continue to ensure that local governments have a full range of authority to promote affordable and mixed income housing, including authority to facilitate in-fill development, redevelopment and mixing of uses in redevelopment projects. Therefore, the Code of Virginia must not be changed to limit local governments' authority to enact land use regulations for the benefits of all citizens of a locality.

PLANNING AND LAND USE

The Governor and General Assembly should continually evaluate the limitations on local authority and land use management tools provided in the state code to ensure that the policies of the Commonwealth encourage and support healthy cities and towns. The Commonwealth must repeal state laws that encourage sprawl or that discourage mixed-use, inclusive communities at sustainable densities. Instead, the policies of the Commonwealth should support sustainable growth in and around urban centers to help local governments create more livable, environmentally responsible communities,

thus reducing the environmental impact of growth. In addition, the policies should alleviate transportation funding problems for the Commonwealth and should promote transportation priorities to promote public transportation modes as well as pedestrian and bicycle transportation. VML supports multi-modal transportation options for regions and localities.

Further, to make movement into urban centers attractive, the education policies and funding must promote high quality educational facilities, opportunities and services in urban centers. Further the Commonwealth must provide funding to help urban centers attract and retain high paying jobs.

Planning and land use control are two of local government's most important functions. Localities must maintain control of local land use decisions. Neither the state nor federal government should usurp or preempt a locality's power to make such decisions or impose processes that weaken planning and land use functions. This includes home businesses and other activities that may put different persons' property rights into conflict with one another. All localities should be guided by their comprehensive plan for future development. The General Assembly should allow local governments to exercise land use authority in the manner that the local government deems appropriate for its circumstances. Coordination of local land use planning and transportation planning improves the ability of all levels of government to deal with and manage growth-related issues the Commonwealth faces in the long-term.

The General Assembly should enhance local government's ability to implement their comprehensive plans by authorizing a complete spectrum of land use and growth

1 management tools and should allow and
2 provide localities more creative, locally
3 initiated planning and land use mechanisms.
4 However, sufficient fiscal capacity is
5 necessary to take advantage of more robust
6 planning and land use mechanisms.
7
8 When a county's transfer of development
9 rights program includes lands adjacent to a
10 city or town, the General Assembly should
11 provide the municipality with the authority
12 necessary to fully participate in the decisions
13 on transferring such rights when it is
14 determined by the municipality that the
15 land-use change will impact its citizens.
16
17 VML supports the state's exploration of
18 sustainable development, provided that there
19 is not an effort to supplant the authority of
20 local governments to determine their own
21 land use policies, and encourages the
22 consideration of incentives for localities to
23 implement sustainable development
24 approaches.
25
26 State agencies should be required to comply
27 with local comprehensive plans and local
28 land use regulations and policies.
29
30 VML supports enhanced redevelopment
31 opportunities through the adoption of an
32 urban policy for the commonwealth, and
33 implementation of growth management
34 policies that encourage growth and
35 economic development in urban areas.
36 VML supports the position that the vested
37 rights law is prospective only and that local
38 governments have the authority to amend
39 zoning ordinances in the future.
40
41 The law on nonconforming uses and
42 structures must not be diminished. The
43 desires of a single property owner should
44 not outweigh the interests of the neighbors,
45 who benefit from properties coming into
46 conformance with the zoning ordinance over

47 time through the effects of the law on
48 nonconformity.
49
50 The General Assembly should not enact any
51 legislation, under the name of private
52 property protection law, that seeks to
53 weaken local powers to regulate land uses
54 and protect the community's health, safety
55 and welfare, or that requires additional
56 compensation beyond judicial interpretation
57 of the Fifth Amendment of the U.S.
58 Constitution and Article I, section II of the
59 Virginia Constitution.
60
61 VML opposes any additional legislation that
62 would exempt religious organizations or
63 provide special entitlements to individuals
64 and industries from neutral, generally
65 applicable local ordinances, and in
66 particular, local zoning and public safety
67 ordinances.
68
69 **RESPONSIBLE GROWTH**
70 **MANAGEMENT**
71 Current state land use authority is often
72 inadequate to allow local governments to
73 provide the infrastructure and services for
74 growth in a manner that protects and
75 improves the quality of life in our
76 communities. The General Assembly should
77 authorize local governments to implement
78 growth management policies including
79 impact fees in order to enable localities to
80 facilitate orderly, rational growth in a
81 manner appropriate to their communities.
82 The authority to impose impact fees should
83 include calculations for the cost of all public
84 infrastructure, including local transportation,
85 transit, and school construction costs, caused
86 by growth. Until a comprehensive impact
87 fee system is authorized, the state code
88 should extend to all localities full authority
89 for conditional zoning to meet the needs of
90 new citizens for public infrastructure.
91
92 The General Assembly should take all steps
93 needed to assist towns and cities to work

1 with the surrounding counties to promote
2 growth in patterns that help the vitality of
3 the municipalities. Any change must not
4 shift the burden of paying for new
5 infrastructure to existing citizens through
6 increased real estate taxes.
7
8 **DESIGN FOR ALL CITIZENS.**
9 As life expectancy rises and as the number
10 of citizens with significant physical
11 disabilities and limitations increases,
12 Virginia's local governments recognize that
13 man-made environments must be made
14 accessible to and inclusive of all citizens,
15 whether aging, disabled or facing other
16 limitations. Therefore, the state's laws,
17 regulations and policies must serve to
18 increase accessibility for the aged and
19 disabled populations. Such laws,
20 regulations and policies that do not assist
21 reaching these goals should be amended or
22 repealed. Building codes should be
23 amended to help achieve these goals in new
24 and existing construction. Further, state
25 laws, regulations and policies must be
26 amended, as needed to give local
27 governments full authority to provide
28 accessible private and public infrastructure.
29
30 **MANUFACTURED HOUSING BY**
31 **RIGHT**
32 Local governments must retain the authority
33 to plan for the appropriate mix of residential
34 structures in their communities, and must
35 retain full authority to regulate the
36 placement of manufactured homes, without
37 state intervention.
38

39 Localities should retain the right to tax
40 manufactured homes as personal property,
41 and not be forced to classify them as realty.
42

43 **SUBDIVISION STREET STANDARDS**

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

53 **PRESERVATION OF RIGHTS-OF-** 54 **WAY**

55 Road projects take many years from the
56 planning stage to construction. Often
57 localities need to reserve miles of right-of-
58 way years in advance of any funding
59 availability for these projects, or risk
60 development in the path of these road
61 projects. Localities need tools to enable
62 them to reserve rights-of-way for longer
63 periods of time. The official map legislation
64 allows reservation but localities are often
65 unable to provide for the upfront funding
66 needed to purchase these right-of-way in the
67 allotted timeframe.
68

69 **VARIANCES, SPECIAL EXCEPTIONS** 70 **& CONDITIONAL USE PERMITS**

71 VML maintains that the law on variances
72 should be retained in its current form.
73 Because land use is controlled at the local
74 level, the General Assembly should not
75 require or dictate any specific procedures for
76 special exceptions, conditional use permits
77 or similar land use decisions.