



2018 COMMUNITY & ECONOMIC DEVELOPMENT POLICY STATEMENT

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

7
8 VML realizes the importance of
9 communities and neighborhoods, and
10 supports legislation to encourage state and
11 local cooperation efforts that would deter
12 crime, promote maintenance and safety of
13 property in neighborhoods, and improve the
14 livability of Virginia’s cities, towns and
15 counties.

16
17 VML encourages local governments to work
18 together in regional efforts to improve the
19 quality of life and economic development
20 opportunities and encourages the state to
21 support such regional efforts in
22 collaboration with local elected officials.

23
24 Incentive programs, such as GO Virginia,
25 the Commonwealth’s Opportunity Fund and
26 the Virginia Enterprise Zone Program are
27 important economic development tools,
28 particularly in a challenging economy. The
29 state should work with local governments to
30 ensure that economic development efforts
31 focus on improving opportunities.

32
33 We support the current incentive programs
34 and Virginia Enterprise Zones; they should
35 not be decreased.

36
37 VML supports initiatives such as GO
38 Virginia’s which encourage collaboration

39 among Virginia’s localities to support
40 economic diversification.

41
42 Appropriate efforts include grants and state
43 tax incentives and efforts to assist minority
44 and women-owned businesses. The state
45 should strive to fully fund programs that
46 strengthen local governments’ commercial
47 and industrial tax bases to reduce pressure
48 on the residential real estate tax base.

49 **HOUSING**

50
51 VML urges state and local governing bodies
52 to develop and maintain a balanced housing
53 mix, including affordable housing. Local
54 officials are in the best position to determine
55 that mixture. Local governments must be
56 fully involved in the decisions on the
57 placement of affordable housing in their
58 jurisdictions. Procedures involving the
59 granting of tax credits for projects must
60 involve local governing bodies. Any
61 locality that issues a Section 8 housing
62 certificate should have housing available in
63 the jurisdiction for the certificate’s holder, to
64 prevent persons who are granted Section 8
65 certificates from having to leave their home
66 jurisdiction in order to find housing.

67
68 VML supports state funding for affordable
69 housing.

70
71 The state should take the lead and work with
72 local governments to encourage the
73 development of mixed income development
74 and redevelopment, coupled with support for
75 mixed use projects.

76

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

8
9
10 **BLIGHT AND NEIGHBORHOOD**
11 **PRESERVATION**

12 The General Assembly should broaden the
13 laws on dealing with blight and dealing with
14 building permits issued for repairs or
15 renovation to require timely completion of
16 the work or, failing a legitimate plan by the
17 owner, diligently pursued, to complete the
18 work, authorizing local government action
19 to correct the health and public safety
20 problems created by projects that are not
21 completed and to either seize available
22 assets of the owner and use them to fund
23 corrective action, or recover the locality's
24 costs on a priority basis in the same manner
25 as unpaid taxes. Further, the definition of
26 derelict building should be expanded to
27 include buildings which are never completed
28 to a condition that would meet the definition
29 in Virginia Code Section 15-2.907.1.

30
31 VML supports strengthening the minimum
32 housing maintenance code.

33
34 **ZONING INCENTIVES FOR IN-FILL**
35 **DEVELOPMENT AND**
36 **REDEVELOPMENT**

37 The state code provisions on zoning
38 authority should continue to ensure that
39 local governments have a full range of
40 authority to promote affordable and mixed
41 income housing, including authority to
42 facilitate in-fill development, redevelopment
43 and mixing of uses in redevelopment
44 projects. Therefore, the Code of Virginia
45 must not be changed to limit local
46 governments' authority to enact land use

47 regulations for the benefits of all citizens of
48 a locality.

49
50 **PLANNING AND LAND USE**

51 The Governor and General Assembly should
52 continually evaluate the limitations on local
53 authority and land use management tools
54 provided in the state code to ensure that the
55 policies of the Commonwealth encourage
56 and support healthy cities and towns. The
57 Commonwealth must repeal state laws that
58 encourage sprawl or that discourage mixed-
59 use, inclusive communities at sustainable
60 densities. Instead, the policies of the
61 Commonwealth should support sustainable
62 growth in and around urban centers to help
63 local governments create more livable,
64 environmentally responsible communities,
65 thus reducing the environmental impact of
66 growth. In addition, the policies should
67 alleviate transportation funding problems for
68 the Commonwealth and should promote
69 transportation priorities to promote public
70 transportation modes as well as pedestrian
71 and bicycle transportation. VML supports
72 multi-modal transportation options for
73 regions and localities.

74
75 Further, to make movement cities and towns
76 attractive, the education policies and funding
77 must promote high quality educational
78 facilities, opportunities and services in cities
79 and towns. Further the Commonwealth
80 must provide funding to help cities and
81 towns attract and retain high paying jobs.

82
83 Planning and land use control are two of
84 local government's most important
85 functions. Localities must maintain control
86 of local land use decisions. Neither the state
87 nor federal government should usurp or pre-
88 empt a locality's power to make such
89 decisions or impose processes that weaken
90 planning and land use functions. This
91 includes home businesses and other
92 activities that may put different persons'

1 property rights into conflict with one
2 another. All localities should be guided by
3 their comprehensive plan for future
4 development. The General Assembly
5 should allow local governments to exercise
6 land use authority in the manner that the
7 local government deems appropriate for its
8 circumstances. Coordination of local land
9 use planning and transportation planning
10 improves the ability of all levels of
11 government to deal with and manage
12 growth-related issues the Commonwealth
13 faces in the long-term.

14
15 The General Assembly should enhance local
16 government's ability to implement their
17 comprehensive plans by authorizing a
18 complete spectrum of land use and growth
19 management tools and should allow and
20 provide localities more creative, locally
21 initiated planning and land use mechanisms.

22
23 When a county's transfer of development
24 rights program includes lands adjacent to a
25 city or town, the General Assembly should
26 provide the municipality with the authority
27 necessary to fully participate in the decisions
28 on transferring such rights when it is
29 determined by the municipality that the
30 land-use change will impact its citizens.

31
32 VML supports the state's exploration of
33 sustainable development, provided that there
34 is not an effort to supplant the authority of
35 local governments to determine their own
36 land use policies, and encourages the
37 consideration of incentives for localities to
38 implement sustainable development
39 approaches.

40
41 State agencies should be required to comply
42 with local comprehensive plans and local
43 land use regulations and policies.

44
45 VML supports enhanced redevelopment
46 opportunities through the adoption of an

47 urban policy for the commonwealth, and
48 implementation of growth management
49 policies that encourage growth and
50 economic development in urban areas.
51 VML supports the position that the vested
52 rights law is prospective only and that local
53 governments have the authority to amend
54 zoning ordinances in the future.

55
56 The law on nonconforming uses and
57 structures must not be diminished. The
58 desires of a single property owner should
59 not outweigh the interests of the neighbors,
60 who benefit from properties coming into
61 conformance with the zoning ordinance over
62 time through the effects of the law on
63 nonconformity.

64
65 The General Assembly should not enact any
66 legislation, under the name of private
67 property protection law, that seeks to
68 weaken local powers to regulate land uses
69 and protect the community's health, safety
70 and welfare, or that requires additional
71 compensation beyond judicial interpretation
72 of the Fifth Amendment of the U.S.
73 Constitution and Article I, section II of the
74 Virginia Constitution.

75
76 VML opposes any additional legislation that
77 would exempt religious organizations or
78 provide special entitlements to individuals
79 and industries from neutral, generally
80 applicable local ordinances, and in
81 particular, local zoning and public safety
82 ordinances.

83 84 **RESPONSIBLE GROWTH** 85 **MANAGEMENT**

86 Current state land use authority is often
87 inadequate to allow local governments to
88 provide the infrastructure and services for
89 growth in a manner that protects and
90 improves the quality of life in our
91 communities. The General Assembly should
92 authorize local governments to implement

1 growth management policies including
2 impact fees in order to enable localities to
3 facilitate orderly, rational growth in a
4 manner appropriate to their communities.
5 The authority to impose impact fees should
6 include calculations for the cost of all public
7 infrastructure, including local transportation,
8 transit, and school construction costs, caused
9 by growth. Until a comprehensive impact
10 fee system is authorized, the state code
11 should extend to all localities full authority
12 for conditional zoning to meet the needs of
13 new citizens for public infrastructure.
14 The General Assembly should take all steps
15 needed to assist towns and cities to work
16 with the surrounding counties to promote
17 growth in patterns that help the vitality of
18 the municipalities. Any change must not
19 shift the burden of paying for new
20 infrastructure to existing citizens through
21 increased real estate taxes.

22 **DESIGN FOR ALL CITIZENS.**

24 As life expectancy rises and as the number
25 of citizens with significant physical
26 disabilities and limitations increases,
27 Virginia's local governments recognize that
28 man-made environments must be made
29 accessible to and inclusive of all citizens,
30 whether aging, disabled or facing other
31 limitations. Therefore, the state's laws,
32 regulations and policies must serve to
33 increase accessibility for the aged and
34 disabled populations. Such laws,
35 regulations and policies that do not assist
36 reaching these goals should be amended or
37 repealed. Building codes should be
38 amended to help achieve these goals in new
39 and existing construction. Further, state
40 laws, regulations and policies must be
41 amended, as needed to give local
42 governments full authority to provide
43 accessible private and public infrastructure.

45 **MANUFACTURED HOUSING BY** 46 **RIGHT**

47 Local governments must retain the authority
48 to plan for the appropriate mix of residential
49 structures in their communities, and must
50 retain full authority to regulate the
51 placement of manufactured homes, without
52 state intervention.

53
54 Localities should retain the right to tax
55 manufactured homes as personal property,
56 and not be forced to classify them as realty.

57 **TRANSPORTATION**

59 Localities need to have greater input on how
60 changes to VDOT managed infrastructure
61 affect localities as well as input on priorities
62 for addressing infrastructure issues. VDOT
63 should also allow more effective local input
64 on funding priorities. VML supports
65 program changes to VDOT's revenue
66 sharing program that will fund a wider
67 distribution of projects and increase the
68 opportunity for a greater number of
69 localities to participate.

70 **SUBDIVISION STREET STANDARDS**

72 Local governments should have authority to
73 modify standards for street pavement and
74 right-of-way widths, including streets
75 brought into the system that do not meet
76 VDOT standards, that are beneficial to good
77 planning; public safety; and the well-being
78 of the residents, without diminishing state
79 funding for street maintenance payments.

80 **PRESERVATION OF RIGHTS-OF-** 82 **WAY**

83 Road projects take many years from the
84 planning stage to construction. Often
85 localities need to reserve miles of right-of-
86 way years in advance of any funding
87 availability for these projects, or risk
88 development in the path of these road
89 projects. Localities need tools to enable
90 them to reserve rights-of-way for longer
91 periods of time. The official map legislation
92 allows reservation but localities are often

1 unable to provide for the upfront funding
2 needed to purchase these right-of-way in the
3 allotted timeframe.

4

5 **VARIANCES, SPECIAL EXCEPTIONS**
6 **& CONDITIONAL USE PERMITS**

7 VML maintains that the law on variances
8 should be retained in its current form.
9 Because land use is controlled at the local
10 level, the General Assembly should not
11 require or dictate any specific procedures for
12 special exceptions, conditional use permits
13 or similar land use decisions.