



2019 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

50 HOUSING

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

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

84

1
2 **BLIGHT AND NEIGHBORHOOD**
3 **PRESERVATION**
4 The General Assembly should broaden the
5 laws on dealing with blight and dealing with
6 building permits issued for repairs or
7 renovation to require timely completion of
8 the work or, failing a legitimate plan by the
9 owner, diligently pursued, to complete the
10 work, authorizing local government action
11 to correct the health and public safety
12 problems created by projects that are not
13 completed and to either seize available
14 assets of the owner and use them to fund
15 corrective action, or recover the locality's
16 costs on a priority basis in the same manner
17 as unpaid taxes. Further, the definition of
18 derelict building should be expanded to
19 include buildings which are never completed
20 to a condition that would meet the definition
21 in Virginia Code Section 15-2.907.1.
22
23 VML supports strengthening the minimum
24 housing maintenance code.
25
26 **ZONING INCENTIVES FOR IN-FILL**
27 **DEVELOPMENT AND**
28 **REDEVELOPMENT**
29 The state code provisions on zoning
30 authority should continue to ensure that
31 local governments have a full range of
32 authority to promote affordable and mixed
33 income housing, including authority to
34 facilitate in-fill development, redevelopment
35 and mixing of uses in redevelopment
36 projects. Therefore, the Code of Virginia
37 must not be changed to limit local
38 governments' authority to enact land use
39 regulations for the benefits of all citizens of
40 a locality.
41
42 **PLANNING AND LAND USE**
43 The Governor and General Assembly should
44 continually evaluate the limitations on local
45 authority and land use management tools

46 provided in the state code to ensure that the
47 policies of the Commonwealth encourage
48 and support healthy cities and towns. The
49 Commonwealth must repeal state laws that
50 encourage sprawl or that discourage mixed-
51 use, inclusive communities at sustainable
52 densities. Instead, the policies of the
53 Commonwealth should support sustainable
54 growth in and around urban centers to help
55 local governments create more livable,
56 environmentally responsible communities,
57 thus reducing the environmental impact of
58 growth. In addition, the policies should
59 alleviate transportation funding problems for
60 the Commonwealth and should promote
61 transportation priorities to promote public
62 transportation modes as well as pedestrian
63 and bicycle transportation. VML supports
64 multi-modal transportation options for
65 regions and localities.
66
67 Further, to make movement cities and towns
68 attractive, the education policies and funding
69 must promote high quality educational
70 facilities, opportunities and services in cities
71 and towns. Further the Commonwealth
72 must provide funding to help cities and
73 towns attract and retain high paying jobs.
74
75 Planning and land use control are two of
76 local government's most important
77 functions. Localities must maintain control
78 of local land use decisions. Neither the state
79 nor federal government should usurp or pre-
80 empt a locality's power to make such
81 decisions or impose processes that weaken
82 planning and land use functions. This
83 includes home businesses and other
84 activities that may put different persons'
85 property rights into conflict with one
86 another. All localities should be guided by
87 their comprehensive plan for future
88 development. The General Assembly
89 should allow local governments to exercise
90 land use authority in the manner that the

1 local government deems appropriate for its
2 circumstances. Coordination of local land
3 use planning and transportation planning
4 improves the ability of all levels of
5 government to deal with and manage
6 growth-related issues the Commonwealth
7 faces in the long-term.
8
9 The General Assembly should enhance local
10 government's ability to implement their
11 comprehensive plans by authorizing a
12 complete spectrum of land use and growth
13 management tools and should allow and
14 provide localities more creative, locally
15 initiated planning and land use mechanisms.
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 with the authority
21 necessary to fully participate in the decisions
22 on transferring such rights when it is
23 determined by the municipality that the
24 land-use change will 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.
38
39 VML supports enhanced redevelopment
40 opportunities through the adoption of an
41 urban policy for the commonwealth, and
42 implementation of growth management
43 policies that encourage growth and
44 economic development in urban areas.

45 VML supports the position that the vested
46 rights law is prospective only and that local
47 governments have the authority to amend
48 zoning ordinances in the future.
49
50 The law on nonconforming uses and
51 structures must not be diminished. The
52 desires of a single property owner should
53 not outweigh the interests of the neighbors,
54 who benefit from properties coming into
55 conformance with the zoning ordinance over
56 time through the effects of the law on
57 nonconformity.
58
59 The General Assembly should not enact any
60 legislation, under the name of private
61 property protection law, that seeks to
62 weaken local powers to regulate land uses
63 and protect the community's health, safety
64 and welfare, or that requires additional
65 compensation beyond judicial interpretation
66 of the Fifth Amendment of the U.S.
67 Constitution and Article I, section II of the
68 Virginia Constitution.
69
70 VML opposes any additional legislation that
71 would exempt religious organizations or
72 provide special entitlements to individuals
73 and industries from neutral, generally
74 applicable local ordinances, and in
75 particular, local zoning and public safety
76 ordinances.
77
78 **RESPONSIBLE GROWTH**
79 **MANAGEMENT**
80 Current state land use authority is often
81 inadequate to allow local governments to
82 provide the infrastructure and services for
83 growth in a manner that protects and
84 improves the quality of life in our
85 communities. The General Assembly should
86 authorize local governments to implement
87 growth management policies including
88 impact fees in order to enable localities to
89 facilitate orderly, rational growth in a

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

19
20 VML supports the ability of localities to
21 prepare for the closure of state facilities and
22 supports the state providing ample notice to
23 localities of proposed closures and the loss
24 of jobs.

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

45 governments full authority to provide
46 accessible private and public infrastructure.

47
48 **MANUFACTURED HOUSING BY**
49 **RIGHT**

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

56
57 Localities should retain the right to tax
58 manufactured homes as personal property,
59 and not be forced to classify them as realty.

60
61 **TRANSPORTATION**

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

73
74 **STREET AND SIDEWALK**
75 **STANDARDS**

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

84
85 Localities should have the ability to work
86 with developers on sidewalk standards and
87 financing to include mutually agreeable
88 arrangements where sidewalks are financed
89 but not built immediately and monies can be

1 used for sidewalk improvements in other
2 parts of the locality.

3

4 **PRESERVATION OF RIGHTS-OF-**
5 **WAY**

6 Road projects take many years from the
7 planning stage to construction. Often
8 localities need to reserve miles of right-of-
9 way years in advance of any funding
10 availability for these projects, or risk
11 development in the path of these road
12 projects. Localities need tools to enable
13 them to reserve rights-of-way for longer
14 periods of time. The official map legislation
15 allows reservation but localities are often
16 unable to provide for the upfront funding
17 needed to purchase these right-of-way in the
18 allotted timeframe.

19

20 **VARIANCES, SPECIAL EXCEPTIONS**
21 **& CONDITIONAL USE PERMITS**

22 VML maintains that the law on variances
23 should be retained in its current form.
24 Because land use is controlled at the local
25 level, the General Assembly should not
26 require or dictate any specific procedures for
27 special exceptions, conditional use permits
28 or similar land use decisions.