
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
85

1 **BLIGHT AND NEIGHBORHOOD**
2 **PRESERVATION**

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

21
22 VML supports strengthening the minimum
23 housing maintenance code.

24
25 **ZONING INCENTIVES FOR IN-FILL**
26 **DEVELOPMENT AND**
27 **REDEVELOPMENT**

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

40
41 **PLANNING AND LAND USE**

42 The Governor and General Assembly should
43 continually evaluate the limitations on local
44 authority and land use management tools
45 provided in the state code to ensure that the
46 policies of the Commonwealth encourage
47 and support healthy cities and towns. The

48 Commonwealth must repeal state laws that
49 encourage sprawl or that discourage mixed-
50 use, inclusive communities at sustainable
51 densities. Instead, the policies of the
52 Commonwealth should support sustainable
53 growth in and around urban centers to help
54 local governments create more livable,
55 environmentally responsible communities,
56 thus reducing the environmental impact of
57 growth. In addition, the policies should
58 alleviate transportation funding problems for
59 the Commonwealth and should promote
60 transportation priorities to promote public
61 transportation modes as well as pedestrian
62 and bicycle transportation. VML supports
63 multi-modal transportation options for
64 regions and localities.

65
66 Further, to make movement cities and towns
67 attractive, the education policies and funding
68 must promote high quality educational
69 facilities, opportunities and services in cities
70 and towns. Further the Commonwealth
71 must provide funding to help cities and
72 towns attract and retain high paying jobs.

73
74 Planning and land use control are two of
75 local government's most important
76 functions. Localities must maintain control
77 of local land use decisions. Neither the state
78 nor federal government should usurp or pre-
79 empt a locality's power to make such
80 decisions or impose processes that weaken
81 planning and land use functions. This
82 includes home businesses and other
83 activities that may put different persons'
84 property rights into conflict with one
85 another. All localities should be guided by
86 their comprehensive plan for future
87 development. The General Assembly
88 should allow local governments to exercise
89 land use authority in the manner that the
90 local government deems appropriate for its
91 circumstances. Coordination of local land
92 use planning and transportation planning
93 improves the ability of all levels of
94 government to deal with and manage

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

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

1 The General Assembly should take all steps
2 needed to assist towns and cities to work
3 with the surrounding counties to promote
4 growth in patterns that help the vitality of
5 the municipalities. Any change must not
6 shift the burden of paying for new
7 infrastructure to existing citizens through
8 increased real estate taxes.

9
10 VML supports the ability of localities to
11 prepare for the closure of state facilities and
12 supports the state providing ample notice to
13 localities of proposed closures and the loss
14 of jobs.

15
16 **DESIGN FOR ALL CITIZENS.**

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

37
38 **MANUFACTURED HOUSING BY**
39 **RIGHT**

40 Local governments must retain the authority
41 to plan for the appropriate mix of residential
42 structures in their communities and must
43 retain full authority to regulate the
44 placement of manufactured homes, without
45 state intervention.

46

47 Localities should retain the right to tax
48 manufactured homes as personal property,
49 and not be forced to classify them as realty.

50
51 **TRANSPORTATION**

52 Localities need to have greater input on how
53 changes to VDOT managed infrastructure
54 affect localities as well as input on priorities
55 for addressing infrastructure issues. VDOT
56 should also allow more effective local input
57 on funding priorities. VML supports
58 program changes to VDOT's revenue
59 sharing program that will fund a wider
60 distribution of projects and increase the
61 opportunity for a greater number of
62 localities to participate.

63
64 **STREET AND SIDEWALK**
65 **STANDARDS**

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

74
75 Localities should have the ability to work
76 with developers on sidewalk standards and
77 financing to include mutually agreeable
78 arrangements where sidewalks are financed
79 but not built immediately and monies can be
80 used for sidewalk improvements in other
81 parts of the locality.

82
83 **PRESERVATION OF RIGHTS-OF-**
84 **WAY**

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

1 allows reservation but localities are often
2 unable to provide for the upfront funding
3 needed to purchase these right-of-way in the
4 allotted timeframe.

5

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

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

