



BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

2022 COMMUNITY & ECONOMIC DEVELOPMENT POLICY STATEMENT

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

5 VML realizes the importance of diverse communities and neighborhoods and supports
6 legislation to encourage state and local cooperation efforts that promote the safety of all
7 populations, encourage the maintenance and protection of property in neighborhoods, and
8 improve the livability of Virginia's cities, towns, and counties.
9

10 VML encourages local governments to work together in regional efforts to improve the quality
11 of life and economic development opportunities and encourages the state to support such
12 regional efforts in collaboration with local elected officials.
13

14 Incentive programs, such as GO Virginia, Opportunity Zones, the Commonwealth's Opportunity
15 Fund, and the Virginia Enterprise Zone Program are important economic development tools,
16 particularly in a challenging economy. It would be beneficial for all parties if the state worked
17 cohesively with local governments to ensure that economic development efforts focus on
18 improving opportunities and sustainability. This cooperation would include technical assistance
19 from the state. VML supports clarification on criteria for grant programs especially regarding
20 fiscal health and/or economically distressed localities. Grant programs should look at the totality
21 of the circumstance of a local government's fiscal health.

22 Efforts that we deem appropriate include grants and state tax incentives and efforts to assist
23 minority and women-owned businesses. The state should strive to fully fund programs that
24 strengthen local governments' commercial and industrial tax bases to reduce pressure on the
25 residential real estate tax base.
26

27 HOUSING

28 VML urges state and local governing bodies to develop and maintain a balanced housing mix,
29 including affordable and workforce housing with affordable housing policies in place. These
30 numbers should be determined by a locality, as local officials are in the best position to
31 determine that mixture. Local governments must be fully involved in the decisions on the
32 placement of affordable and workforce housing in their jurisdictions. Procedures involving the
33 granting of tax credits for projects must involve local governing bodies. Any locality that issues

1 a Section 8 housing certificate should have housing available in the jurisdiction for the
2 certificate's holder, to prevent persons who are granted Section 8 certificates from having to
3 leave their home jurisdiction in order to find housing.

4
5 VML supports state funding for affordable and workforce housing.
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7 The state should take the lead and work with local governments to encourage the development of
8 mixed income development and redevelopment, coupled with support for mixed use projects.
9

10 **BLIGHT AND NEIGHBORHOOD PRESERVATION**

11 The General Assembly should broaden the laws on dealing with blight. This could be done
12 through empowering localities' flexibility with building permits issued for repairs or renovation.
13 Methods include the requirement of timely completion of the work or, filing a legitimate plan by
14 the owner, diligently pursued, to complete the work, authorizing local government action to
15 correct the health and public safety problems created by incomplete work and to either seize
16 available assets of the owner and use them to fund corrective action, or impose high fees that
17 would recover the locality's costs on a priority basis. This would be similar to the localities'
18 powers for retrieving unpaid taxes. Further, we would like the definition of derelict building to
19 be expanded to include buildings that are not completed to the Code of Virginia Sec. 15-2.907.1.
20

21 VML supports strengthening the minimum property maintenance code.
22

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

24 The state code provisions on zoning authority should continue to ensure that local governments
25 have a full range of authority to promote affordable and mixed income housing, including
26 authority to facilitate in-fill development, redevelopment, and mixing of uses in redevelopment
27 projects. Therefore, the Code of Virginia must not be changed to limit local governments'
28 authority to enact land use regulations for the benefit of all citizens of a locality.
29

30 **PLANNING AND LAND USE**

31 VML encourages the Governor and General Assembly to continually evaluate the limitations on
32 local authority and land use management tools provided in the state code to ensure that the
33 policies of the Commonwealth encourage and support healthy cities and towns. The
34 Commonwealth must repeal state laws that encourage sprawl or that discourage mixed-use,
35 inclusive communities at sustainable densities. Instead, the policies of the Commonwealth
36 should support sustainable growth in and around urban centers to help local governments create
37 more livable, environmentally responsible communities, thus reducing the environmental impact
38 of growth. In addition, we ask that the policies alleviate transportation funding problems for the
39 Commonwealth and should promote transportation priorities to promote public transportation
40 modes as well as pedestrian and bicycle transportation. VML supports multi-modal
41 transportation options for regions and localities with local input on access to multi-modal
42 facilities.
43

44 Planning and land use control are two of local government's most important functions.
45 Localities must maintain control of local land use decisions. Neither the state nor federal

1 government should usurp or pre-empt a locality's power to make such decisions or impose
2 processes that weaken planning and land use functions. This includes home businesses and other
3 activities that may put individual's property rights into conflict with one another. All localities
4 should be guided by their comprehensive plan for future development. The General Assembly
5 should allow local governments to exercise land use authority in the manner that the local
6 government deems appropriate for its circumstances. Coordination of local land use planning
7 and transportation planning improves the ability of all levels of government to deal with and
8 manage growth-related issues the Commonwealth faces in the long-term.

9
10 The General Assembly should enhance local government's ability to implement their
11 comprehensive plans by authorizing a complete spectrum of land use and growth management
12 tools and should allow and provide localities more creative, locally initiated planning and land
13 use mechanisms.

14
15 When a county's transfer of development rights program includes lands adjacent to a city or
16 town, the General Assembly should provide the municipality with the authority necessary to
17 fully participate in the decisions on transferring such rights when it is determined by the
18 municipality that the land-use change will impact its citizens.

19
20 VML supports the state's exploration of sustainable development, provided there is not an effort
21 to supplant the authority of local governments to determine their own land use policies and
22 encourages the consideration of incentives for localities to implement sustainable development
23 approaches.

24
25 State agencies should be required to comply with local comprehensive plans and local land use
26 regulations and policies.

27
28 VML supports enhanced redevelopment opportunities through the adoption of an urban policy
29 for the commonwealth, and implementation of growth management policies that encourage
30 growth and economic development in urban areas.

31 VML supports the position that the vested rights law is prospective only and that local
32 governments have the authority to amend zoning ordinances in the future.

33
34 The law on nonconforming uses and structures must be maintained. The desires of a single
35 property owner should not outweigh the interests of the neighbors, who benefit from properties
36 coming into conformance with the zoning ordinance over time through the effects of the law on
37 nonconformity.

38
39 The General Assembly should not enact any legislation, under the name of private property
40 protection law, that seeks to weaken local powers to regulate land uses and protect the
41 community's health, safety, and welfare, or that requires additional compensation beyond
42 judicial interpretation of the Fifth Amendment of the U.S. Constitution and Article I, section II of
43 the Virginia Constitution.

1 VML opposes any additional legislation that would exempt religious organizations or provide
2 special entitlements to individuals and industries from neutral, generally applicable local
3 ordinances, and in particular, local zoning and public safety ordinances.

4
5 **RESPONSIBLE GROWTH MANAGEMENT**

6 Current state land use authority is often inadequate to allow local governments to provide the
7 infrastructure and services for growth in a manner that protects and improves the quality of life
8 in our communities. The General Assembly should authorize local governments to implement
9 growth management policies including impact fees in order to enable localities to facilitate
10 orderly, rational growth in a manner appropriate to their communities. The authority to impose
11 impact fees should include calculations for the cost of all public infrastructure, including local
12 transportation, transit, and school construction costs, caused by growth. Until a comprehensive
13 impact fee system is authorized, the state code should extend to all localities full authority for
14 conditional zoning to meet the needs of new citizens for public infrastructure.

15 The General Assembly should take all steps needed to assist towns and cities to work with the
16 surrounding counties to promote growth in patterns that help the vitality of the municipalities.
17 Any change must not shift the burden of paying for new infrastructure to existing citizens
18 through increased real estate taxes.

19
20 VML supports the ability of localities to prepare for the closure of state facilities and supports
21 the state providing ample notice to localities of proposed closures and the loss of jobs. Further,
22 facilities being closed should not be left in a state of disrepair or blight, further impacting the
23 surrounding community.

24
25 VML encourages the state to engage localities very early in the process when assisting an
26 economic development prospect so that localities can better prepare for potential impacts. Site
27 Readiness and Certified Economic Development Sites are important to localities and assistance
28 from the State is encouraged to prepare these sites.

29
30 **DESIGN FOR ALL CITIZENS.**

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

40
41 **HOUSING OPTIONS TO INCLUDE MANUFACTURED HOUSING, TINY HOUSES,
42 ACCESSORY DWELLING UNITS, ETC.**

43 Local governments must retain the authority to plan for the appropriate mix of residential
44 structures in their communities and must-retain full authority to regulate the placement of

1 manufactured homes, tiny homes, and other types of alternative housing without state
2 intervention. New housing options must be explored.

3
4 **HIGHER EDUCATION**

5 Virginia’s colleges and universities serve as engines of economic growth, cultural enrichment,
6 and intellectual development for communities across the Commonwealth.

7
8 The decline in state support for institutions of higher education and the state’s unwillingness to
9 invest in these institutions endangers the economic health of the Commonwealth and its cities,
10 towns, and counties.

11
12 In addition to ensuring a stronger and more diversified economic base, a healthy and vibrant
13 higher education sector, which includes two-year as well as four-year institutions, supplies our
14 communities with an educated and well-trained workforce that attracts new businesses and
15 allows existing business to compete effectively in an increasingly competitive global economy.
16 Further, beneficiaries of higher education tend to earn higher incomes, thus expanding the
17 revenue stream to the state, and thereby ensuring the continued provision of quality services for
18 its citizens. Finally, the involvement of institutions, their faculty, and their students in
19 communities across the Commonwealth and the expanded cultural opportunities these
20 institutions offer communities enhance the quality of life for all Virginians.

21
22 **TRANSPORTATION**

23 Localities need greater input on how changes to VDOT managed infrastructure affect localities
24 as well as input on priorities for addressing infrastructure issues.

25
26 **PRESERVATION OF RIGHTS-OF-WAY**

27 Road projects take many years from the planning stage to construction. Often localities need to
28 reserve miles of rights-of-way years in advance of any funding availability for these projects, or
29 risk development in the path of these road projects. Localities need tools to enable them to
30 reserve rights-of-way for longer periods of time. The official map legislation allows reservation,
31 but localities are often unable to provide the upfront funding needed to purchase these rights-of-
32 way in the allotted timeframe.

33
34 **VARIANCES, SPECIAL EXCEPTIONS & CONDITIONAL USE PERMITS**

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