



BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

2021 Community & Economic Development Policy Statement

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

4
5 VML realizes the importance of diverse communities and neighborhoods and supports legislation to
6 encourage state and local cooperation efforts that promote the safety of all populations, encourage the
7 maintenance and protection of property in neighborhoods, and improve the livability of Virginia's cities,
8 towns and counties.

9
10 VML encourages local governments to work together in regional efforts to improve the quality of life and
11 economic development opportunities and encourages the state to support such regional efforts in
12 collaboration with local elected officials.

13
14 Incentive programs, such as GO Virginia, Opportunity Zones, the Commonwealth's Opportunity Fund and
15 the Virginia Enterprise Zone Program are important economic development tools, particularly in a
16 challenging economy. It would be beneficial for all parties if the state worked cohesively with local
17 governments to ensure that economic development efforts focus on improving opportunities and
18 sustainability. This cooperation would include technical assistance from the state. VML supports
19 clarification on criteria for grant programs especially regarding fiscal health and/or economically distressed
20 localities. Grant programs should look at the totality of the circumstance of a local governments' fiscal
21 health.

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

26 **Housing**

27
28 VML urges state and local governing bodies to develop and maintain a balanced housing mix, including
29 affordable and workforce housing with affordable housing policies in place. These numbers should be
30 determined by a locality, as local officials are in the best position to determine that mixture. Local
31 governments must be fully involved in the decisions on the placement of affordable and workforce housing
32 in their jurisdictions. Procedures involving the granting of tax credits for projects must involve local
33 governing bodies. Any locality that issues a Section 8 housing certificate should have housing available in
34 the jurisdiction for the certificate's holder, to prevent persons who are granted Section 8 certificates from
35 having to leave their home jurisdiction in order to find housing.

36

37 VML supports state funding for affordable and workforce housing.

38

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

41

42 **Blight and Neighborhood Preservation**

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

51

52 VML supports strengthening the minimum property maintenance code.

53

54 **Zoning Incentives for In-fill Development and Redevelopment**

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

60

61 **Planning and Land Use**

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

72

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

82

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

86

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

91
92 VML supports the state's exploration of sustainable development, provided that there is not an effort to
93 supplant the authority of local governments to determine their own land use policies and encourages the
94 consideration of incentives for localities to implement sustainable development approaches.

95
96 State agencies should be required to comply with local comprehensive plans and local land use regulations
97 and policies.

98
99 VML supports enhanced redevelopment opportunities through the adoption of an urban policy for the
100 commonwealth, and implementation of growth management policies that encourage growth and economic
101 development in urban areas.

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

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

107
108 The General Assembly should not enact any legislation, under the name of private property protection law,
109 that seeks to weaken local powers to regulate land uses and protect the community's health, safety and
110 welfare, or that requires additional compensation beyond judicial interpretation of the Fifth Amendment of
111 the U.S. Constitution and Article I, section II of the Virginia Constitution.

112
113 VML opposes any additional legislation that would exempt religious organizations or provide special
114 entitlements to individuals and industries from neutral, generally applicable local ordinances, and in
115 particular, local zoning and public safety ordinances.

116 **Responsible Growth Management**

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

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

129
130 VML supports the ability of localities to prepare for the closure of state facilities and supports the state
131 providing ample notice to localities of proposed closures and the loss of jobs.

132
133 VML encourages the state to engage localities very early in the process when assisting an economic
134 development prospect so that localities can better prepare for potential impacts. Site Readiness and Certified
135 Economic Development Sites are important to localities and assistance from the State is encouraged to
136 prepare these sites.

137

138 **Design for all Citizens.**

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

147
148 **Housing Options to Include Manufactured Housing, Tiny Houses, Accessory Dwelling Units, Etc.**

149 Local governments must retain the authority to plan for the appropriate mix of residential structures in their
150 communities and must retain full authority to regulate the placement of manufactured homes, tiny homes and
151 other types of alternative housing without state intervention. New housing options must be explored.

152
153 Localities should retain the right to tax manufactured homes as personal property, and not be forced to
154 classify them as realty.

155
156 **Higher Education**

157 Virginia's colleges and universities serve as engines of economic growth, cultural enrichment, and
158 intellectual development for communities across the Commonwealth. The decline in state support for
159 institutions of higher education and the state's unwillingness to invest in these institutions endangers the
160 economic health of the Commonwealth and its cities, towns, and counties.

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

169
170 **Transportation**

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

173
174 **Preservation of Rights-Of-Way**

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

180
181 **Variations, Special Exceptions & Conditional Use Permits**

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