

2022 Draft 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 diverse
9 communities and neighborhoods and
10 supports legislation to encourage state and
11 local cooperation efforts that promote the
12 safety of all populations, encourage the
13 maintenance and protection of property in
14 neighborhoods, and improve the livability of
15 Virginia's cities, towns, and 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 Opportunity Zones, the Commonwealth's
26 Opportunity Fund, and the Virginia
27 Enterprise Zone Program are important
28 economic development tools, particularly in
29 a challenging economy. It would be
30 beneficial for all parties if the state worked
31 cohesively with local governments to ensure
32 that economic development efforts focus on
33 improving opportunities and sustainability.
34 This cooperation would include technical
35 assistance from the state. VML supports
36 clarification on criteria for grant programs
37 especially regarding fiscal health and/or
38 economically distressed localities. Grant
39 programs should look at the totality of the
40 circumstance of a local government's fiscal
41 health.

42
43 Efforts that we deem appropriate include
44 grants and state tax incentives and efforts to
45 assist minority and women-owned

46 businesses. The state should strive to fully
47 fund programs that strengthen local
48 governments' commercial and industrial tax
49 bases to reduce pressure on the residential
50 real estate tax base.

51 52 HOUSING

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

72
73 VML supports state funding for affordable
74 and workforce housing.

75
76 The state should take the lead and work with
77 local governments to encourage the
78 development of mixed income development
79 and redevelopment, coupled with support for
80 mixed use projects.

81 82 BLIGHT AND NEIGHBORHOOD 83 PRESERVATION

84 The General Assembly should broaden the
85 laws on dealing with blight. This could be
86 done through empowering localities'
87 flexibility with building permits issued for
88 repairs or renovation. Methods include the
89 requirement of timely completion of the
90 work or, filing a legitimate plan by the

1 owner, diligently pursued, to complete the
2 work, authorizing local government action
3 to correct the health and public safety
4 problems created by incomplete work and to
5 either seize available assets of the owner and
6 use them to fund corrective action, or
7 impose high fees that would recover the
8 locality's costs on a priority basis. This
9 would be similar to the localities' powers for
10 retrieving unpaid taxes. Further, we would
11 like the definition of derelict building to be
12 expanded to include buildings that are not
13 completed to the Code of Virginia Virginia
14 Code Sec. 15-2.907.1.

15
16 VML supports strengthening the minimum
17 property maintenance code.

18
19 **ZONING INCENTIVES FOR IN-FILL**
20 **DEVELOPMENT AND**
21 **REDEVELOPMENT**

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

34
35 **PLANNING AND LAND USE**

36 VML encourages the Governor and General
37 Assembly to continually evaluate the
38 limitations on local authority and land use
39 management tools provided in the state code
40 to ensure that the policies of the
41 Commonwealth encourage and support
42 healthy cities and towns. The
43 Commonwealth must repeal state laws that
44 encourage sprawl or that discourage mixed-
45 use, inclusive communities at sustainable
46 densities. Instead, the policies of the

47 Commonwealth should support sustainable
48 growth in and around urban centers to help
49 local governments create more livable,
50 environmentally responsible communities,
51 thus reducing the environmental impact of
52 growth. In addition, we ask that the policies
53 alleviate transportation funding problems for
54 the Commonwealth and should promote
55 transportation priorities to promote public
56 transportation modes as well as pedestrian
57 and bicycle transportation. VML supports
58 multi-modal transportation options for
59 regions and localities with local input on
60 access to multi-modal facilities.

61
62 Planning and land use control are two of
63 local government's most important
64 functions. Localities must maintain control
65 of local land use decisions. Neither the state
66 nor federal government should usurp or pre-
67 empt a locality's power to make such
68 decisions or impose processes that weaken
69 planning and land use functions. This
70 includes home businesses and other
71 activities that may put ~~different persons'~~
72 individual's property rights into conflict
73 with one another. All localities should be
74 guided by their comprehensive plan for
75 future development. The General Assembly
76 should allow local governments to exercise
77 land use authority in the manner that the
78 local government deems appropriate for its
79 circumstances. Coordination of local land
80 use planning and transportation planning
81 improves the ability of all levels of
82 government to deal with and manage
83 growth-related issues the Commonwealth
84 faces in the long-term.

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

1
2 When a county's transfer of development
3 rights program includes lands adjacent to a
4 city or town, the General Assembly should
5 provide the municipality with the authority
6 necessary to fully participate in the decisions
7 on transferring such rights when it is
8 determined by the municipality that the
9 land-use change will impact its citizens.

10
11 VML supports the state's exploration of
12 sustainable development, provided that there
13 is not an effort to supplant the authority of
14 local governments to determine their own
15 land use policies and encourages the
16 consideration of incentives for localities to
17 implement sustainable development
18 approaches.

19
20 State agencies should be required to comply
21 with local comprehensive plans and local
22 land use regulations and policies.

23
24 VML supports enhanced redevelopment
25 opportunities through the adoption of an
26 urban policy for the commonwealth, and
27 implementation of growth management
28 policies that encourage growth and
29 economic development in urban areas.

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

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

42
43 The General Assembly should not enact any
44 legislation, under the name of private
45 property protection law, that seeks to
46 weaken local powers to regulate land uses

47 and protect the community's health, safety,
48 and welfare, or that requires additional
49 compensation beyond judicial interpretation
50 of the Fifth Amendment of the U.S.
51 Constitution and Article I, section II of the
52 Virginia Constitution.

53
54 VML opposes any additional legislation that
55 would exempt religious organizations or
56 provide special entitlements to individuals
57 and industries from neutral, generally
58 applicable local ordinances, and in
59 particular, local zoning and public safety
60 ordinances.

61 62 **RESPONSIBLE GROWTH** 63 **MANAGEMENT**

64 Current state land use authority is often
65 inadequate to allow local governments to
66 provide the infrastructure and services for
67 growth in a manner that protects and
68 improves the quality of life in our
69 communities. The General Assembly should
70 authorize local governments to implement
71 growth management policies including
72 impact fees in order to enable localities to
73 facilitate orderly, rational growth in a
74 manner appropriate to their communities.

75 The authority to impose impact fees should
76 include calculations for the cost of all public
77 infrastructure, including local transportation,
78 transit, and school construction costs, caused
79 by growth. Until a comprehensive impact
80 fee system is authorized, the state code
81 should extend to all localities full authority
82 for conditional zoning to meet the needs of
83 new citizens for public infrastructure.

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

92

1 VML supports the ability of localities to
2 prepare for the closure of state facilities and
3 supports the state providing ample notice to
4 localities of proposed closures and the loss
5 of jobs. Further, facilities being closed
6 should not be left in a state of disrepair or
7 blight, further impacting the surrounding
8 community.

9
10 VML encourages the state to engage
11 localities very early in the process when
12 assisting an economic development prospect
13 so that localities can better prepare for
14 potential impacts. Site Readiness and
15 Certified Economic Development Sites are
16 important to localities and assistance from
17 the State is encouraged to prepare these
18 sites.

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

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

46 Local governments must retain the authority
47 to plan for the appropriate mix of residential
48 structures in their communities and must
49 retain full authority to regulate the
50 placement of manufactured homes, tiny
51 homes, and other types of alternative
52 housing without state intervention. New
53 housing options must be explored.

54
55 ~~Localities should retain the right to tax~~
56 ~~manufactured houses as personal property,~~
57 ~~and not be forced to classify them as realty.~~
58

59 **HIGHER EDUCATION**
60 Virginia's colleges and universities serve as
61 engines of economic growth, cultural
62 enrichment, and intellectual development for
63 communities across the Commonwealth.

64
65 The decline in state support for institutions
66 of higher education and the state's
67 unwillingness to invest in these institutions
68 endangers the economic health of the
69 Commonwealth and its cities, towns, and
70 counties.

71
72 In addition to ensuring a stronger and more
73 diversified economic base, a healthy and
74 vibrant higher education sector, which
75 includes two-year as well as four-year
76 institutions, supplies our communities with
77 an educated and well-trained workforce that
78 attracts new businesses and allows existing
79 business to compete effectively in an
80 increasingly competitive global economy.
81 Further, beneficiaries of higher education
82 tend to earn higher incomes, thus expanding
83 the revenue stream to the state, and thereby
84 ensuring the continued provision of quality
85 services for its citizens. Finally, the
86 involvement of institutions, their faculty,
87 and their students in communities across the
88 Commonwealth and the expanded cultural
89 opportunities these institutions offer
90 communities enhance the quality of life for
91 all Virginians.

92

1 **TRANSPORTATION**

2 Localities need greater input on how
3 changes to VDOT managed infrastructure
4 affect localities as well as input on priorities
5 for addressing infrastructure issues.

6

7 **PRESERVATION OF RIGHTS-OF-**
8 **WAY**

9 Road projects take many years from the
10 planning stage to construction. Often
11 localities need to reserve miles of rights-of-
12 way years in advance of any funding
13 availability for these projects, or risk
14 development in the path of these road
15 projects. Localities need tools to enable
16 them to reserve rights-of-way for longer

17 periods of time. The official map legislation
18 allows reservation, but localities are often
19 unable to provide for the upfront funding
20 needed to purchase these rights-of-way in
21 the allotted timeframe.

22

23 **VARIANCES, SPECIAL EXCEPTIONS**
24 **& CONDITIONAL USE PERMITS**

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