



VIRGINIA CHAPTER OF THE AMERICAN PLANNING ASSOCIATION

2022 Legislative Agenda

Members of the Virginia Chapter of the American Planning Association (APA) are committed to supporting economic prosperity for all residents and businesses in the Commonwealth. Planning provides opportunities for all Virginians to look into the future and work towards a long-term vision for their communities. Planners are reliable and trusted sources of information committed to the communities they serve. Annual updates to the legislative agenda do not negate previous years' priorities. The Chapter supports good and legal planning efforts that enables localities to address need in their communities.

The Chapter supports legislative and administrative actions, which are outcome-based and incorporate a review of return on investment, in order to ensure efficient expenditures of resources.

The Chapter opposes legislation that focuses only on the short-term economic benefit of actions without considering potential impacts, long-term economic or otherwise, on residents and businesses in the Commonwealth.

Planning & Zoning

Affordable Housing and Inclusionary Zoning

Housing affordability is a serious concern across most of the Commonwealth, especially in more urban settings. The Chapter supports efforts to proactively encourage a variety of housing types and opportunities to offer lower cost alternatives. Specifically, the Chapter supports legislation enabling cities and towns to develop affordable housing and inclusionary zoning plans that recognize the link between safe, sanitary and affordable housing and economic development and the critical relationship to mobility resources for access to employment, education, retail services, recreation, libraries, healthcare and other community elements.

Once a community has developed the plan they should be empowered to implement the plan through a variety of tools including: density bonuses, lot size reduction or dimensional and form modifications or floor area ratio increases, contributions to local housing trust funds, accessory dwelling unit allowance, set-asides for inclusionary units in market-rate developments and market-rate set-asides in affordable tax credit development, housing inspection programs, design control, allowing of duplexes, triplexes and quadruplexes in primarily single-family areas, permitting multi-family conversion of office, light industrial and commercial space, encouraging transit-oriented development, offering financial incentives and removing disincentives.

The Commonwealth should give priority to—and consider a higher subsidy for—Low Income Housing Tax Credit (LIHTC) projects that incorporate affordable and subsidized units into mixed use/mixed income development that includes a substantial component of market rate housing. Such a policy will reduce the stigma of supportive housing and avoid concentrating or re-concentrating poverty.

The Chapter recognizes the legislature's efforts to enhance the management of all tax preferences (tax credits) but encourage giving appropriate weight to the economic development stimulated by the Historic Tax Credit program.

Design for all citizens

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

Viability of Cash and Off-Site Proffers

In 2016, legislation passed which dramatically altered the way off-site and cash proffers can be offered, considered, accepted, and used. The change has significantly disrupted the dialogue and negotiation that conditional zoning was designed to foster. In 2019 legislation passed to address some of the disruption, primarily the ability of developers and local staff to freely communicate about the impact of projects on the community. Even though the 2019 changes do not fully address the range of issues created in 2016 it is anticipated the negative impacts will be less. Although the Chapter supports further revisions to the statute, we believe time is needed to assess the full impact of the 2019 amendments.

The Chapter opposes any effort to establish state-mandated caps on development fees and proffers, including caps on water and sewer fees, review fees, and existing or prospective proffers; however, the Chapter supports impact fee legislation that allows for simple, locally-based formulae designed to achieve infrastructure and service objectives identified in local comprehensive/long-range plans with reasonable administrative requirements.

Infrastructure and Community Development

Lifecycle Costing

The Chapter supports extending the requirement to consider the lifecycle costs of public investments to all state agencies and institutions.

Transportation System

The Chapter recognizes and applauds the tremendous strides made in the previous General Assembly sessions to provide additional and reliable funding for transportation. Moving ahead, the Chapter feels that implementation of the funding plan, set in place by legislation in past sessions for transportation costs now in effect, should be supported and resourced, to address the current and future transportation needs throughout the Commonwealth.

Additionally, the Chapter supports transportation policy options and funding for mobility, connectivity, and accessibility to facilitate the timely movement of people and goods throughout the state by coordinating transportation and land use. We acknowledge the Arrive Alive Virginia plan that uses a data-driven, interdisciplinary approach targeting improvement areas to reach the goal of zero deaths and eliminating serious injuries on our roadways. The Chapter recognizes a combination of strategies from different focus areas will be necessary to achieve the zero deaths vision and offers its support.

Lastly, the Chapter encourages forward thinking discussions on transportation around autonomous vehicles and other emerging transportation technologies. We encourage the establishment of a study commission to analyze the potential impact of automated and connected vehicles on state and local revenues—taxes, fees, fines, parking, etc.—and identify structural changes that might be needed.

The laws, policies and regulations of the Commonwealth should promote transportation priorities which include public transportation modes as well as safe and continuous pedestrian and bicycle transportation throughout the entire transportation network. Multi-modal transportation options must exist for all regions and localities and the decision to exercise such options should not be penalized through the loss of or reduction in maintenance payments.

**Resiliency,
Recurrent
Flooding and
Eastern Virginia
Water Supply**

The Chapter supports state policies that promote resiliency enabling communities to better plan for, withstand, and recover from hazardous events because of climate change.

The overuse of the Potomac Aquifer in Eastern Virginia is causing increased intrusion of salt water into our groundwater supply and loss of the aquifer's artesian head pressure. The Chapter strongly encourages the development of policies that protect drinking water supplies and economic investment throughout Virginia's coastal plain.

The Chapter further supports adequate funding for the Virginia Shoreline Resiliency Fund.

**Renewable
Energy**

The Chapter supports state policies that promote growth of solar, wind, and other renewable energy sources provided local land use authority is protected so that the siting of projects is in accordance with local Comprehensive Plans and protect neighborhood character and community values.

**Broadband and
Wireless
Infrastructure**

The Chapter strongly supports efforts to expand broadband capabilities in unserved and underserved areas including protecting and enhancing local authority to deploy broadband or partner with others, public and private, to bridge the digital divide.

Other

**Local Planning
Authority**

The Chapter opposes any legislation that reduces the authority of local government for planning, zoning, subdivision, resource protection, neighborhood preservation and local redevelopment. Local planning and zoning can be critical tools to the protection of neighborhood integrity and private property right.

**State to
Comply with
Local Plans
and Zoning**

State agencies should be required to comply with local comprehensive plans and local land use regulations and policies, including zoning, subject to specific case-by-case written override by the governor.

The Chapter opposes annual renewal of §15.2-2209.1:1 (Extension of approvals).

**Budget
Reductions to
Planning**

The Chapter opposes State budget actions that inhibit the ability of the Commonwealth and its local governments to provide for the health, well-being and prosperity of its present and future citizens.

OUR MISSION: We promote planning as the foundation for effectively addressing the physical, economic and social changes taking place in Virginia. The Virginia Chapter of the American Planning Association (APA Virginia) is committed to increasing awareness about planning's many benefits and enhancing its practice throughout the Commonwealth.

WHO WE ARE: APA Virginia is over 1,500 practicing professionals from the public and private sector, as well as academics and students. The American Planning Association (APA) is a nonprofit public interest and research organization committed to urban, suburban, regional, and rural planning. APA and its professional institute, the American Institute of Certified Planners (AICP), advance the art and science of planning to meet the needs of people and society.

CREATING GREAT COMMUNITIES FOR ALL