



## VIRGINIA CHAPTER OF THE AMERICAN PLANNING ASSOCIATION

### 2023 Legislative Agenda

*Members of the Virginia Chapter of the American Planning Association (APA Virginia) 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 and committed to the communities they serve. The Chapter supports sound and legal planning efforts that enable localities to address needs in their communities. Annual updates to this legislative agenda do not negate previous years' priorities.*

**The Chapter supports** legislative and administrative actions, which are outcome-based and incorporate a review of return on investment, 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 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. These plans ought to 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 such as: density bonuses or floor area ratio increases; lot dimension and building form modifications (e.g., lot size reduction); contributions to local housing trust funds; accessory dwelling unit allowances; set-asides for inclusionary units in market-rate developments and market-rate units in affordable tax credit developments; housing inspection programs; design control; allowing of duplexes, triplexes, and quadruplexes in primarily single-family areas; permitting multifamily 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. LIHTC projects should not be limited to low-income census tracts. Such a policy will reduce the stigma of supportive housing and avoid concentrating or re-concentrating poverty.

#### **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.

**Community Development and Revitalization**

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.

**Viability of Cash and Off-Site Proffers**

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.

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

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.

**Renewable Energy**

The Chapter strongly encourages the development of policies that protect drinking water supplies and economic investment throughout Virginia’s coastal plain.

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 siting of projects is in accordance with local Comprehensive Plans and protects 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. The Chapter supports legislation addressing the implementation of broadband, like other public utilities, at time of site development construction.

**Other**

**Local Planning Authority & Public Notices**

The Chapter opposes any legislation that reduces the authority of local government for planning, zoning, subdivision, resource protection, neighborhood preservation, local redevelopment, short-term lodging, and utility-scale solar development. Local planning and zoning can be critical tools to the protection of neighborhood integrity and private property rights.

The Chapter support legislation to simplify the process for public notices for land-use actions. This includes but is not limited to reducing the number of notices required, removing cumbersome descriptive summaries, and allowing locality websites where information can easily be found to fulfill public notice requirements.

**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 extension of §15.2-2209.

**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.

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***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***