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SENATE JOINT RESOLUTION NO. 70

Offered January 9, 2008

Prefiled January 8, 2008

Establishing a joint subcommittee to study the required and voluntary incorporation of urban development areas into the comprehensive plans of localities. Report.

Patron—Vogel

Referred to Committee on Rules

WHEREAS, House Bill 3202 (2007) requires every locality that has adopted zoning pursuant to Article 7 (§ 15.2-2280 et seq.) of Chapter 22 of Title 15.2 of the Code of Virginia and that (i) has a population of at least 20,000 and population growth of at least five percent or (ii) has population growth of 15 percent or more, to amend its comprehensive plan by July 1, 2011, to incorporate one or more urban development areas; and

WHEREAS, House Bill 3202 (2007) authorizes any locality to amend its comprehensive plan to incorporate one or more urban development areas; and

WHEREAS, the Code of Virginia defines an urban development area as an area designated by a locality that is appropriate for higher density development due to proximity to transportation facilities, the availability of a public or community water and sewer system, or proximity to a city, town, or other developed area; and

WHEREAS, every comprehensive plan that has been amended to incorporate one or more urban development areas shall describe any financial and other incentives for development in the urban development areas; and

WHEREAS, the Code of Virginia permits a locality that is authorized to assess and impose impact fees on new development to pay all or a part of the cost of reasonable road improvements that benefit the new development to exclude urban development areas from impact fee service areas; and

WHEREAS, it is the policy of the Commonwealth that, to the extent possible, state, and local transportation, housing, and economic development funding shall be directed to urban development areas; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the required and voluntary incorporation of urban development areas into the comprehensive plans of localities. The joint subcommittee shall have eight legislative members. Members shall be appointed as follows: three members of the Senate to be appointed by the Senate Committee on Rules; and five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall (i) examine the impact that comprehensive plans, which have been amended to incorporate one or more urban development areas, have had on growth since such amendment; (ii) examine such comprehensive plans' descriptions of any financial and other incentives for development in such urban development areas; (iii) examine the impact that the assessment and imposition of road impact fees in urban development areas that are not excluded from impact fee service areas may have on future growth patterns and/or have had on growth patterns; (iv) examine the incentives for localities permitted but not required to incorporate one or more urban development areas into their comprehensive plans and further examine whether such incentives are adequate to promote such incorporation; and (v) examine existing and proposed state and local legislation, if any, that directs state and local transportation, housing, and economic development funding to urban development areas.

Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the Commission on Local Government. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2008 interim and four meetings for the 2009 interim, and the direct costs of this study shall not exceed \$8,000 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall

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59 be required.

60 No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members
61 or a majority of the House members appointed to the joint subcommittee (i) vote against the
62 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
63 joint subcommittee.

64 The joint subcommittee shall complete its meetings for the first year by November 30, 2008, and for
65 the second year by November 30, 2009, and the chairman shall submit to the Division of Legislative
66 Automated Systems an executive summary of its findings and recommendations no later than the first
67 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
68 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
69 report of its findings and recommendations for publication as a House or Senate document. The
70 executive summaries and reports shall be submitted as provided in the procedures of the Division of
71 Legislative Automated Systems for the processing of legislative documents and reports and shall be
72 posted on the General Assembly's website.

73 Implementation of this resolution is subject to subsequent approval and certification by the Joint
74 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
75 delay the period for the conduct of the study, or authorize additional meetings during the 2008 and 2009
76 interims.