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SENATE JOINT RESOLUTION NO. 305

Offered January 20, 1997

Establishing a joint subcommittee to identify approaches by which local governments can address demands for increased services and infrastructure resulting from residential growth.

Patron—Quayle (By Request)

Referred to the Committee on Rules

WHEREAS, many localities within the Commonwealth must make provision for major capital improvements to meet the demands of residential growth; and

WHEREAS, many of these localities contain a large inventory of properties which are zoned for residential use; and

WHEREAS, the development of these residentially-zoned properties will increase dramatically the need for capital facilities to provide public services for their residents ; and

WHEREAS, existing state enabling legislation does not provide sufficient tools to require new development to fund the resulting infrastructure and service requirements; and

WHEREAS, Article 4 (§ 58.1-3229 et seq.) of Title 58.1 of the Code of Virginia authorizes local governments to establish land use taxation programs providing for the special assessment of, and deferral of real estate taxes on, real estate devoted to agricultural, horticultural, forest, or open-space uses; and

WHEREAS, land use taxation programs tend to preserve existing uses of property by reducing the likelihood that increased real estate tax assessments will induce owners to develop their property; and

WHEREAS, Section 2 of Article X of the Virginia Constitution authorizes the General Assembly to define and classify real estate devoted to agricultural, horticultural, forest, or open-space uses, and to authorize any locality to allow deferral of, or relief from, portions of taxes otherwise payable on such real estate, subject to certain conditions and restrictions; and

WHEREAS, localities are not authorized to establish a class of property for land use taxation purposes consisting of underdeveloped or unimproved property zoned for residential use; and

WHEREAS, incentives for deferring the development of property zoned for residential use, including land use taxation programs, may assist localities to cope with demands for increased services and infrastructure resulting from growth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to identify approaches by which local governments can address demands for increased services and infrastructure resulting from residential growth, including, but not limited to, the addition of a class of property for land use taxation purposes consisting of underdeveloped or unimproved property zoned for residential use, provided that no changes are made to the existing land use taxation program that would diminish present benefits.

The joint subcommittee shall be composed of nine members to be appointed as follows: two members of the Senate to be appointed by the Senate Committee on Privileges and Elections; three members of the House of Delegates to be appointed by the Speaker of the House; one citizen member to be appointed by the Senate Committee on Privileges and Elections from a list of nominees submitted by the Virginia Municipal League; one citizen member to be appointed by the Speaker of the House from a list of nominees submitted by the Virginia Association of Counties; one citizen member to be appointed by the Senate Committee on Privileges and Elections from a list of nominees submitted by the State Land Evaluation Advisory Council; and one citizen member to be appointed by the Speaker of the House from a list of nominees submitted by the Home Builders Association of Virginia.

The direct costs of this study shall not exceed \$4,600.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 1998 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

INTRODUCED

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