



Albemarle County

Legislation Text

File #: 18-192, **Version:** 1

AGENDA DATE: 3/7/2018

TITLE:

Residential Development Impact Work Group

SUBJECT/PROPOSAL/REQUEST: Present the conclusions and recommendations of the Residential Development Impact Work Group.

ITEM TYPE: Regular Information Item

STAFF CONTACT(S): Richardson, Walker, Kamptner, Graham, Gast-Bray, Davis, Russell, Fritz

PRESENTER (S): Bill Fritz, Andrew Gast-Bray

LEGAL REVIEW: Not Required

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: In October 2016 the Board of Supervisors created the Residential Development Impact Work Group (Attachment A). The Board appointed members to the group in February 2016. The charge of the Work Group was to understand recent State Code amendments regarding proffers and to develop and analyze alternative means for determining and addressing the fiscal impact of residential development allowed either by-right or subsequent to a rezoning. The Work Group was also charged with providing a recommendation on how to proceed with addressing fiscal impacts of residential development.

STRATEGIC PLAN: Thriving Development Areas: Attract quality employment, commercial, and high density residential uses into development areas by providing services and infrastructure that encourage redevelopment and private investment while protecting the quality of neighborhoods

DISCUSSION: The Work Group held multiple meetings to discuss and understand the County's ability to accept off-site and cash proffers. The Work Group also analyzed all available provisions in the State Code that may allow the County to address the fiscal impact of residential development. Some of these included, use of existing proffer language in the State Code, drainage districts, service districts, road impact fees, general impact fees and use of special use permits for increased residential density. The Work Group concluded that none of the options seemed likely to provide enough revenue to meaningfully offset the fiscal impacts of new residential development in the County. The Work Group noted that changes to State law may increase the tools available to the County to offset fiscal impact of residential development.

In January 2018 the Work Group adopted the following "Summary of Conclusions and Recommendations"

- We urge the Board of Supervisors to make clear to the community that the County is still open to approving residential rezoning proposals and will carefully consider each proposal even if staff concludes that the County cannot safely accept any off-site or cash proffers for the development. Although we agree that a proposed residential rezoning's fiscal impact is an important factor in the decision whether to approve a rezoning, we do not believe it should be the only factor.

- We have a number of concerns with, and recommend against, a widespread “comprehensive rezoning” in which the County would proactively rezone Development Area parcels to match their Comprehensive Plan designation. However, a much more limited County-initiated rezoning of one or two small priority areas within the Development Areas, perhaps coupled with a form-based zoning code for those priority areas, could be worth considering.
- The County should form a coalition with other local governments, developers, smart growth advocates, and other stakeholders to advocate expanding Virginia’s current enabling authority for general impact fees.
- The County should also explore and advocate expansion of the enabling authority for establishing service districts.

BUDGET IMPACT: This is a discussion item only. There is no budget impact at this time.

RECOMMENDATION:

Staff recommends the following:

- That Board clarify the County’s current position on residential rezoning as it relates to off-site and cash proffers as recommended by the Work Group.
- That the County form a coalition with other local governments to expand enabling authority for general impact fees
- That the County advocate for expansion of the enabling authority for establishing service districts

ATTACHMENTS:

Attachment A - Charter for the Residential Development Impact Work Group B- Residential Development Impact Work Group: Conclusions and Recommendations