



Albemarle County

Legislation Text

File #: 22-408, **Version:** 1

AGENDA DATE: 9/7/2022

TITLE:

Proposed 2023 Legislative Priorities

SUBJECT/PROPOSAL/REQUEST: Consider the Proposed 2023 Legislative Priorities

ITEM TYPE: Regular Information Item

STAFF CONTACT(S): Richardson, Rosenberg

PRESENTER (S): Rosenberg

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Each year, the Board considers and approves a set of legislative priorities to pursue in the upcoming General Assembly session. The Board then meets with the County's local delegation from the General Assembly to discuss these priorities and submits them to the Thomas Jefferson Planning District Commission (TJPDC), the Virginia Association of Counties (VACo), and the Virginia Municipal League (VML).

During its work session on June 15, 2022, the Board of Supervisors reviewed its prior year's legislative priorities and discussed its 2023 legislative priorities. On September 7, 2022, the Board will have a second opportunity to consider its priorities.

STRATEGIC PLAN: Mission - To enhance the well-being and quality of life for all community members through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: On June 15, the Board directed staff to continue developing legislative priorities for the 2023 General Assembly session. The Board indicated that failed legislative priorities from the 2022 session should remain priorities. Those priorities include the following:

- Civil penalties in lieu of criminal penalties for violations of local ordinances: amend Virginia Code § 15.2-1429 to enable a localities to adopt an ordinance to establish a schedule of civil penalties in lieu of criminal punishment for violations of certain local ordinances.
- Minimum standards for farm buildings and structures used by the public: amend Virginia Code § 36-97 and other sections of the Virginia Uniform Statewide Building Code to require agricultural buildings used by the public to be subject to minimum safety standards.
- Expand the use of photo-speed monitoring devices: amend Virginia Code §§ 46.2-882 and 46.2-882.1 to enable the use of photo speed monitoring devices on segments of secondary roads where speeding has been identified as a problem.

Staff have identified additional items that the Board may consider adding to its 2023 legislative priorities. They include:

- Grant the County taxing authority for school division capital projects. The County lacks a dedicated funding mechanism for school construction and renovation projects. The County could seek an amendment to the retail sales and use tax provisions of the state code (Title 58.1, Subtitle I, Chapter 6) that would authorize the County to levy a local sales tax for the purpose of funding school construction and renovation projects.
- Change eligibility requirements for the Virginia Business Ready Sites Program. As described by the Virginia Economic Development Partnership, the Virginia Business Ready Sites Program is a discretionary program to promote development and characterization of sites to enhance the Commonwealth of Virginia's infrastructure and promote its competitive business environment. The program's goal is to identify and assess the readiness of potential industrial sites of at least 100 contiguous acres. The County could seek an amendment to the applicable provisions of the state code (Virginia Code § 2.2-2240.2:1) that would reduce the required acreage of sites eligible for funding under the program from 100 acres to 50 acres. Fifty-acre sites are presently eligible for funding in GO Virginia Region 1 or 2.
- Changes to virtual meeting requirements for Community Advisory Committees (CACs). Amendments to the Virginia Freedom of Information Act (FOIA) adopted last year by the General Assembly and effective as of September 1, 2022, prohibit certain public bodies from meeting virtually more than two times per calendar year or 25% of the meetings held per calendar year, whichever is greater, and from holding consecutive all-virtual meetings. The Board has expressed an interest in further amendments to FOIA to allow greater flexibility in the use of all-virtual meetings by CACs to reduce the burden on them.

The Board's 2022 Legislative Priorities is provided as Attachment A for the Board's reference.

David Blount, deputy director of TJPDC, will also participate in the presentation to the Board.

BUDGET IMPACT: There are no specific, identifiable budget impacts.

RECOMMENDATION:

Staff recommends that the Board review potential legislative priorities, identify those that have Board support, and direct staff to finalize the 2023 legislative priorities.

ATTACHMENTS:

A - 2022 Legislative Priorities