



# Albemarle County

## Legislation Text

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**File #:** 22-442, **Version:** 1

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**AGENDA DATE:** 10/19/2022

**TITLE:**

2023 Legislative Priorities and Legislative Positions and Policy Statements.

**SUBJECT/PROPOSAL/REQUEST:** Consideration of 2023 Legislative Priorities and 2023 Legislative Positions and Policy Statements

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Rosenberg

**PRESENTER (S):** Steve Rosenberg

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The Board of Supervisors held work sessions on its 2023 Legislative Priorities on June 15 and September 7, 2022. On October 19, 2022, the Board will have a third opportunity to discuss its Legislative Priorities and, if it is ready to do so, to establish those priorities and to adopt its 2023 Legislative Positions and Policy Statements.

**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:** During its prior work sessions, 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 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.

During the Board's work session on September 7, 2022, staff presented additional items that the Board directed be included as new legislative priorities. They include:

- Grant the County taxing authority for school division capital projects. Amend Title 58.1, Subtitle I, Chapter 6 of the Code of Virginia to make Albemarle County eligible to levy an additional 1% retail sales tax for the purpose of funding school division capital projects.
- Change eligibility requirements for the Virginia Business Ready Sites Program. Amend Virginia Code § 2.2-2240.2:1 to allow sites of 50 contiguous acres or more to be eligible for funding under the Virginia Business Ready Sites Program.
- Changes to virtual meeting requirements. Amend the Virginia Freedom of Information Act to allow all local public bodies to hold all meetings virtually.

During the same work session, the following item was proposed by a member of the Board, and the Board also directed that it be included as a new priority:

- Special exceptions for short term-rentals to expire under certain circumstances. Amend Virginia Code § 15.2-2286(A)(3) to allow Albemarle County to regulate short term rentals by authorizing the County to provide for the expiration of a special exception for a short-term rental upon a change in ownership of the property and in other circumstances.

The proposed 2023 Legislative Priorities (Attachment A) includes all seven priorities-three carried forward from the 2022 session and four newly proposed. In addition, the Board's proposed 2023 Legislative Positions and Policy Statements is attached (Attachment B). The document has been amended to update positions and policy statements as necessary.

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

**RECOMMENDATION:**

Staff recommends that the Board review its 2023 Legislative Priorities (Attachment A) and 2023 Legislative Positions and Policy Statements (Attachment B), and, if they are acceptable, adopt them by motion.

**ATTACHMENTS:**

A - Proposed 2023 Legislative Priorities

B - Proposed 2023 Legislative Positions and Policy Statements