



# Albemarle County

## Legislation Details (With Text)

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Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 5/15/2019

**TITLE:**  
Proposed 2020 Legislative Priorities

**SUBJECT/PROPOSAL/REQUEST:** Consider the Proposed 2020 Legislative Priorities

**ITEM TYPE:** Regular Action Item

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

**PRESENTER (S):** Greg Kamptner

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** Each year the Board considers and approves its legislative priorities. 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). Other initiatives are sometimes added prior to the General Assembly session. This is the second of at least three anticipated Board discussions to develop its priorities for the 2020 General Assembly session.

At the first Board discussion on April 17, several new legislative initiatives were presented for discussion: (1) impact fees to address the impacts on capital facilities resulting from development; (2) equal taxing authority for counties; (3) providing in-kind resources to volunteer firefighting and emergency service providers; (4) civil penalties for open burning violations; (5) expanding the powers of land bank entities; (6) tree canopy preservation; and (7) recycling reporting.

In addition, two Board priorities that failed in the 2019 General Assembly session were presented for discussion: (1) regulating carrying specified loaded weapons in public areas; and (2) local control over war memorials and monuments.

Lastly, an initiative that was ultimately tabled by the Board last year was presented. The initiative sought enabling authority to require homestay platforms to annually report to localities the homeowners using their services.

These initiatives are explained in Attachment A.

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

**DISCUSSION:** Since the April 17 Board discussion, staff has performed additional research and met with David Blount, the County's legislative liaison. Following is the status of staff's work to date on the initiatives identified above:

Impact fees: Staff recommends that this legislation be pursued only in conjunction with other localities.

Equal taxing authority for counties: Rather than seek equal taxing authority across all forms of taxes, seek specific authority for an identified purpose. For example, seek authority to raise the ceiling on the transient occupancy tax for Albemarle County. Targeting the additional revenue for a specific purpose, such as to support a conference center, may make the proposal more attractive to the General Assembly. Several other counties have been successful taking this approach.

In-kind services to volunteer firefighting and emergency service providers: Staff will continue to refine the list of the proposed in-kind services a locality may provide. Thus far, staff has identified the following as possible in-kind services: contract management services for capital projects, assisting in preparing proposals, budgeting services, and providing insurance.

Civil penalties for open burning violations: Staff is contacting the Virginia Department of Environmental Quality to learn whether it would support such legislation.

Expanding the powers of land bank entities to acquire land for affordable housing: Staff recommends that this initiative not be pursued at this time. Further research suggests that the County already has enabling authority to achieve this purpose.

Regulating carrying specified loaded weapons in public areas: This initiative has failed the past two years in the General Assembly. Staff recommends that the Board pursue this initiative a third year if there is a material change in the membership of the General Assembly in 2020.

Local control over war memorials and monuments: This initiative has failed the past two years in the General Assembly (the County joined the City in the proposed legislation in 2019). Like the loaded weapons initiative, staff recommends that the Board pursue this initiative a third year if there is a material change in the membership of the General Assembly in 2020.

Reporting by homestay platforms: The Board deferred pursuing this initiative for the 2019 General Assembly session because it had not yet acted on a homestay zoning text amendment and because of the availability of software that may accomplish the same purpose. Staff will check on the practicality of the software. Staff recommends that this legislation be pursued only in conjunction with other localities.

Staff is still in the early stages of gathering information for other initiatives discussed by the Board on April 17 and will update the Board on May 15.

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

**RECOMMENDATION:**

Staff seeks direction from the Board on its legislative priorities and other initiatives.

**ATTACHMENTS:**

Attachment A - Proposed 2020 Legislative Priorities and Carried-Over Initiatives