

Legislative Agenda 2008
Goochland County Board of Supervisors

Bills Sought by the Board

The Board specifically seeks the following legislation for the 2008 General Assembly session:

1. **Widening of U.S. Route 250 (Broad Street Road) to four lanes, from State Route 623 to past State Route 621.** This item has been the first priority on Goochland County's list of primary road projects for many years, as Project # 52448. A significant amount of the money necessary for the project has been available from the federal government for many years. The state has not budgeted the remainder of the money necessary to widen this important roadway. In addition to serving as an east-west corridor parallel to I-64, it serves as a critical commercial corridor in the developing Centerville Village, served by the County's Tuckahoe Creek Service District with water and sewer. Further development of the village with commercial retail and higher density development is now dependent upon improved roadways.

We ask that the money be placed in the budget to complete this critical road improvement and economic development project.

2. **Transportation Funding.** The Board SUPPORTS additional state funding for local transportation improvements to benefit Goochland County citizens, including funds for primary and secondary roads in Goochland County. The state budget lacks proper funding for transportation, which has been under-funded for many years. Even last year's transportation budget compromise did not produce sufficient new revenues to address the growing transportation shortfalls. The General Assembly should not fail to address the needs of the citizens of Goochland County and the Commonwealth.
3. **Broadband Infrastructure and Network Initiatives.** Four related items:
 - a. The Board SUPPORTS increases in the current grant funding for localities which would be available for broadband infrastructure needs.
 - b. The Board SUPPORTS treating broadband communications as an essential utility needed for our 21st century infrastructure.
 - c. In addition to increasing funding, the Board also SUPPORTS the full funding of the new Office of Telework Promotion and Broadband Assistance which was created by Governor Kaine. The additional grant funding and the funding of the newly created office will be helpful to localities, such as Goochland, that lack adequate high speed broadband networks in significant areas.

- d. Lastly, the Board SUPPORTS and calls on the General Assembly to make relevant changes to the State Code of Virginia to allow localities to provide broadband network services to residents and businesses where there is not an adequate or practical high speed broadband service provider currently operating.

4. **Urban Development Areas.** The Governor’s Substitute to HB 3202 — later accepted by the General Assembly — contained amendments to then-proposed Virginia Code § 15.2-2223.1 that mandated Urban Development Areas (UDAs) in Goochland County and many other localities that meet relatively low growth and population thresholds. Most of the UDA statutory provisions are acceptable. In fact, Goochland County already follows them. Goochland County’s comprehensive plan for many years has featured areas of higher density (“villages”) surrounded by substantial rural areas (“rural enhancement areas”).

However, one feature of the 2007 bill, as amended by the Governor, causes *very real problems* for Goochland County. The law now will require Goochland County’s “urban development area” to have a residential density of at least 4 units per acre. Goochland County does not allow more than 2.5 units per acre anywhere in Goochland County. Our public utilities rely solely upon water and sewer capacity purchased from other localities or the state. Even in the Tuckahoe Creek Service District — planned to be the most dense area of the County — we do not have sufficient capacity to provide for the industrial, commercial and retail growth, and also allow 4 units per acre residential density. We currently limit residential densities there to a maximum of 2.5 units per acre.

One size does not fit all, and many counties like Goochland County have a rural comprehensive plan and limited water and sewer capacities. Allowing 4 units an acre simply does not fit.

Goochland County asks for the language be reinstated from the bill that passed the House and the Senate, which would have permitted localities to allow a residential density of 4 units per acre *OR a density of at least three times greater than the area outside the UDA*. This language was acceptable to both houses of the General Assembly, and we believe that after a proper explanation, the Governor would also agree that a residential density of 4 units per acre does not fit every rural county in Virginia.

Here is the language underlined that Goochland County asks be added back to Virginia Code § 15.2-2223.1:

The comprehensive plan shall provide for commercial and residential densities within urban development areas that are appropriate for reasonably compact development at a density of at least four residential units per gross acre or a density at least three times greater than the area

outside the urban development area and a minimum floor area ratio of 0.4 per gross acre for commercial development.

This underlined language passed both houses of the General Assembly in 2007, and should be passed again.

5. **Including Wild Turkeys as “Big Game”.** Amend the definition in Virginia Code § 29.1-510 of “big game” to include the wild turkey. The Department of Game and Inland Fisheries regulations currently categorize wild turkey as “big game,” not small game. As licensed, wild turkeys are treated as “big game,” and hunters and their permits refer to wild turkeys as “big game,” but the statute contradicts this common understanding and practice. The proposed amendment would ensure that wild turkeys would be dealt with under regulations similar to deer and bear, other animals commonly known and regulated as “big game.” The Department of Game & Inland Fisheries recommended that we seek this amendment. The amendment could state as follows:

§ 29.1-510. Big game; small game. — For the purpose of the hunting and trapping laws of the Commonwealth, big game shall include bear, wild turkey and deer and small game shall include other game animals and ~~all~~ game birds.

Legislative Policies

The Board of Supervisors adopts these legislative policies, and asks its legislators to adopt positions on bills that come before them consistent with these policies:

Tax Assessments. The Board OPPOSES any proposed legislation that would reduce the presumption accorded local government assessments, or expands the right to challenge local government tax assessments.

Local Taxes for State Programs. The Board OPPOSES funding mechanisms that may result in Goochland County’s local tax dollars being paid to the state for statewide programs or obligations. Such programs or obligations should be paid from state tax dollars. An example of this is the per-ton tipping fee, recently proposed. The County would have to pay this charge since its solid waste is deposited in a landfill in Virginia. Since the County does not collect a tipping fee on nearly all of its waste, the County citizens would have to pay this charge through their general taxes.

Land Use and Zoning Authority. The Board OPPOSES any reduction in its land use and zoning authority, including without limitation its conditional zoning authority. The Board SUPPORTS additional land use and zoning authority for growth management purposes, including without limitation impact fees and authority to adopt adequate public facilities ordinances at the subdivision and plan of development stage. Given the extreme level of growth that Goochland County is facing in its coming years, the citizens of the County expect the Board to manage development in a meaningful way, and to have developments properly address their effect on public infrastructure and services. The

Board of Supervisors needs the authority to carry out this mandate from the voters of Goochland County.

Eminent Domain Authority. The Board OPPOSES any reduction in its authority to utilize the power of eminent domain, or changes in the law that make the process longer, more expensive, or more difficult. The County is facing demands from its growth that require the use of the power of eminent domain from time to time. The statute was greatly amended in the last few years to make the process more landowner-friendly and to react to concerns raised by the *Kelo* decision. The statutes should not be further amended to make the process more difficult and expensive to the detriment of Goochland County citizens.

Unfunded Mandates. The Board OPPOSES any mandate from the state or federal governments to conduct programs or incur expenses without the full funding to accompany such a mandate. The Board further OPPOSES the shifting of fiscal responsibility from the state to localities for existing programs.

Taxing Authority. The Board OPPOSES any legislation that would reduce its ability to raise revenue to pay for needed services for the citizens of Goochland County. Given the need for transportation, education and other government facilities and services, now is not the time to reduce local government's ability to raise money to fund its budget from local sources.

State Budget. The Board SUPPORTS the state paying its fair share of programs, including education, CSA and transportation, and OPPOSES requiring local government to pay an increasing proportionate share of government programs and costs. The Commonwealth should not pass on the need for additional funding on to the local level, or to "take" traditional sources of local revenue to balance the state budget.

Revenue-Neutrality. The Board OPPOSES any legislation that is not at least revenue-neutral for Goochland County.

The County Attorney and the County Administrator are authorized to represent Goochland County and its Board of Supervisors for the purposes of communicating these legislative policies and to assert positions on bills consistent with these policies on their behalf.