

RESOLUTION

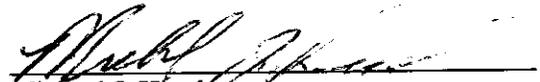
2017 LEGISLATIVE PROGRAM

WHEREAS, James City County has developed a Legislative Program for the consideration of the 2017 session of the General Assembly which outlines certain legislative policies, which the Board believes ought to guide the General Assembly, and proposes certain legislation that would benefit the County; and

WHEREAS, the Board has carefully considered its Legislative Program and believes that it is in the best interests of the citizens of James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the County's 2017 Legislative Program and commends it to the County's representatives in the General Assembly for action.

BE IT FURTHER RESOLVED that a copy of the County's 2017 Legislative Program be forwarded to the County's elected representatives to the General Assembly.



Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:



Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	✓	—	—
LARSON	✓	—	—
ONIZUK	✓	—	—
SADLER	✓	—	—
HIPPLE	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of November, 2016.

2017LegislativeProg-res



**JAMES CITY COUNTY
2017 LEGISLATIVE PROGRAM**

Part I. Legislation to be Introduced on Behalf of the County

- 1-1. INCLUDE JAMES CITY COUNTY AS ONE OF THE LOCALITIES THAT MAY REGULATE INOPERATIVE MOTOR VEHICLES PURSUANT TO VIRGINIA CODE § 15.2-905

James City County requests an amendment of Virginia Code § 15.2-905 to include James City County in the list of Counties that may regulate inoperative vehicles.

- 1-2. JAMES CITY COUNTY REQUESTS THAT THE GENERAL ASSEMBLY NOT PREEMPT LOCAL FIRE CODE OR ZONING REGULATION IN ANY PROPOSED AIRBNB LEGISLATION

James City County believes that any legislation involving AirBnB or similar “sharing economy” rental of residential rooms should not preempt local fire code or zoning authority over such uses.

- 1-3. AMEND SECTION 15.2-2291 OF THE VIRGINIA CODE TO ALLOW LOCAL GOVERNMENTS TO RETAIN LOCAL ZONING CONTROL OVER THE PLACEMENT OF GROUP HOMES

James City County requests an amendment of Virginia Code § 15.2-2291 to allow local governments the ability to require legislative approval for the placement of a residential facility in which no more than eight individuals with mental illness, intellectual disability or developmental disabilities reside, with one or more resident or nonresident staff persons.

- 1-4. AMEND SECTION 37.2-408(B) OF THE VIRGINIA CODE TO REQUIRE THE REGULATIONS OF THE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES TO GIVE LOCALITIES WRITTEN NOTICE THAT A PROPOSED GROUP HOME IS TO BE LOCATED IN THAT LOCALITY

James City County requests that Virginia Code § 37.2-408(B) be amended to require that the Board of Behavioral Health and Developmental Services’ Regulations be amended to require that the Chief Administrative Officer of a locality in which a proposed group home is to be situated receive a written notice at least ninety (90) days prior to issuance of the license. The notice shall include contact information for the community liaison and a description of the services to be provided by the group home and the population served.

1-5. AMEND SECTION 37.2-408(B) OF THE VIRGINIA CODE TO REQUIRE EXCLUSION OF CERTAIN INDIVIDUALS FROM GROUP HOMES SITUATED WITHIN 2,500 FEET OF A PRIMARY OR SECONDARY SCHOOL

James City County requests that Section 37.2-408(B) of the Code of Virginia be amended to require group home operators operating group homes within 2,500 feet of a primary or secondary school to exclude individuals whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others (consistent with 42 U.S.C. Section 3604(f)(9) of the Fair Housing Act), including, as permitted by federal law, those individuals who have committed sex crimes against children or felony violent acts, whether or not they were convicted or found not guilty by reason of insanity.

**JAMES CITY COUNTY
2017 LEGISLATIVE PROGRAM**



Part II. Position/Legislation Supported by the County

2-1. ESTABLISH A STUDY GROUP COMPRISED OF PRIVATE AND GOVERNMENT PRACTITIONERS AND DEVELOPERS TO DETERMINE HOW THE CONDITIONAL ZONING LAWS MAY BE FURTHER REVISED

The County strongly urges the General Assembly to establish a study group to determine how the existing conditional zoning laws may be further revised to encourage liability-free, cooperative dialogue between local government staff and land owners regarding proposed proffers. In addition, the County requests that the study group consider whether existing impact fee laws may be revised to encourage the use of statutorily-calculated impact fees in lieu of cash proffers.

2-2. STATE FUNDING FOR TOURISM

The County urges the General Assembly to increase funding for the Virginia Tourism Corporation ("VTC") to promote tourism in Virginia generally, and the Historic Triangle in particular.

2-3. SUPPORT WIDENING OF I-64 TO I-295

James City County supports the immediate widening of I-64 to I-295 given the volumes of traffic and the burden on the County's Emergency Responders.

2-4. MAINTENANCE OF NEW AND EXISTING SECONDARY ROADS

James City County opposes any legislation that would transfer to counties the responsibilities to construct, maintain or operate new or existing roads. Should such transfer of responsibilities occur, the state must provide continuing funding for the costs incurred by the localities.

2-5. APPLICATION OF TRANSIENT OCCUPANCY TAX TO TRAVEL COMPANIES AND INTERNET SALES

James City County supports a clarification of Virginia Code § 58.1-3819 et seq., to make sure that the transient occupancy tax applies to the entire amount charged for rooms by travel companies and on Internet sales regardless of any discounted rates paid by such companies for such rooms. This would provide equal taxing of room sales by Virginia businesses and Internet sales companies.

2-6. ENHANCE RAIL SERVICE ON THE PENINSULA AND TO RICHMOND

The County supports improving commuter rail systems from Richmond, through the Peninsula, to connect urban centers for commuters and provide transportation alternatives for tourism.

2-7. SUPPORT THOMAS NELSON COMMUNITY COLLEGE IN ITS EFFORTS TO BUILD THE ADVANCED INTEGRATED MANUFACTURING (AIM) CENTER IN JAMES CITY COUNTY

James City County has provided the Thomas Nelson Community College capital project requests to the state and supports the AIM Center being built on the James City County campus.

2-8. BEHAVIORAL HEALTH AND COMPREHENSIVE SERVICES ACT ("CSA") FUNDING

James City County urges the General Assembly to: 1) adequately fund the Medicaid waiver program to reduce the waiting list of individuals and families now eligible for services; 2) provide services to children with serious emotional disorders; and 3) to cover reasonable administrative costs for CSA programs. Adequate funding and services will help prevent the mentally ill from being released early from treatment, living on the streets, going to jail or being inappropriately placed in residential facilities or other government programs.

2-9. SUBSTANCE ABUSE AND MENTAL HEALTH TREATMENT

James City County supports maintaining state funding for mental health and substance abuse treatment in jails and juvenile detention facilities, given the overwhelming percentage of adults and juveniles in the system diagnosed with mental health and/or substance abuse conditions.

2-10. TAX EQUITY BETWEEN CITIES AND COUNTIES

James City County supports equal taxing authority for cities and counties.

2-11. ALLOW ADVERTISEMENT OF REQUIRED PUBLIC NOTICES ON A LOCALITY'S WEBSITE AND THROUGH OTHER MEANS INSTEAD OF PUBLICATION IN A NEWSPAPER HAVING GENERAL CIRCULATION

James City County requests an amendment of Virginia Code § 15.2-107.1 to provide that wherever newspaper advertisement is required for public notices, a locality may instead publish such notice on its website and shall also provide, at the request of any citizen of the Commonwealth, notice by electronic or telephonic means or through the U.S. postal mail.

2-12. STATE FUNDING FOR PUBLIC EDUCATION, PRE-K, K-12 AND HIGHER EDUCATION

The County supports restoring the funding cuts made to pre-K and K-12 funding. In addition, the County supports restoring the funding cuts made to higher education which could cripple some of the most prestigious higher education institutions in the world, including the College of William & Mary.

2-13. ADEQUATE FUNDING FOR PUBLIC LIBRARIES

James City County supports the state maintaining funding to public libraries to make sure that the state and the localities maintain their proportionate share of funding.

2-14. NO NEW STATE MANDATES AND ELIMINATE OR ADEQUATELY FUND EXISTING STATE MANDATES

James City County calls upon the General Assembly to oppose unfunded mandates and to reduce existing State mandates commensurate with any reduction in state funding to localities.

2-15. LEGISLATIVE PROGRAMS OF THE VIRGINIA MUNICIPAL LEAGUE, THE VIRGINIA ASSOCIATION OF COUNTIES AND THE VIRGINIA COALITION OF HIGH GROWTH COMMUNITIES

James City County supports the legislative programs of the Virginia Municipal League, the Virginia Association of Counties and the Virginia Coalition of High Growth Communities.

2-16. JAMES CITY COUNTY SUPPORTS CONTINUED FUNDING OF THE STORMWATER LOCAL ASSISTANCE FUNDS ("SLAF")

James City County supports providing continued state funding to the Department of Environmental Quality for Stormwater Local Assistance Funds.