

Fairfax County Federation of Citizens Associations
Legislative Program Issues Evaluation Form

Issue ID: 17L02-In-Fill and Redevelopment
Date Submitted to Legislative Committee: 9 October 2016
Issue: In-Fill and Redevelopment with increased zoning densities in areas of school crowding and/or traffic congestion or traffic safety issues.
Background: Due to the recent passage of proffer prohibition on residential and mixed-use property development (§ 15.2-2303.4. Provisions applicable to certain conditional rezoning proffers), localities will have to bear the burden of resolving school and traffic related impacts of requested development. Localities, especially in Northern Virginia and Hampton Roads, already do not receive fair and reasonable allocation of school and transportation dollars from the existing Commonwealth allocation formulas. New in-fill and redevelopment projects that increase zoning density place further stress on already challenging conditions. Reference http://scholarscompass.vcu.edu/cgi/viewcontent.cgi?article=3922&context=etd http://www.coopercenter.org/sites/default/files/publications/Virginia%20News%20Letter%202011%20Vol.%2087%20No%208.pdf
Existing Conditions/Impacts: Developers are reluctant to submit residential and mixed-use projects in localities with existing high population densities as local governing bodies are less likely to approve such projects due to anticipated impacts that could exacerbate traffic issues and school crowding. Localities are prohibited from requiring or discussing proposal of proffers as conditions to development decisions. Unfair additional taxes have been imposed on certain local jurisdictions to fund impacts due to Commonwealth funding inadequacies.
Preferred Position: Repeal and replace § 15.2-2303.4. Standardize developer requirements across localities that would adequately fund infrastructure development in support of increased density while protecting developers from abusive proffer requirements. Consider imposing a statewide real estate sales tax of no more than 5% of the selling price of each new residential unit for each documented impact area (school/traffic), the proceeds of which would be designated for use only for school and/or traffic capacity improvements for affected public feeder schools and roadways within 1 mile of the approved development. Additionally, revise existing funding ratio components so as not to “reward” unnecessary road widening in uncongested areas of the Commonwealth for transportation funding (both construction and maintenance formulas) and the ability to pay formula for schools that does not take into account that localities with higher gross incomes and property values also have to pay more for construction and operation of the schools due to higher costs of land and the wages paid for such construction and operation.
Benefits: Strike a balance between locality infrastructure needs and developer costs, setting/limiting the financial requirements beyond the cost of land acquisition and construction of residential and mixed-use developments. Standards would place developers and legislative project approvers in a position of consistency in project budgeting estimates and project submissions and the requirements for project approval. Protection of existing property owners’ lifestyle, community desirability, and other factors that are in the vicinity of proposed development projects.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Local governing body members, developer community, and citizenry.
Lead Federation Committee: Land Use
Prepared by: Vicki Hall (Vicki.Hall@FairfaxCounty.gov)
Email & Phone: FedLandUse2017@fairfaxfederation.org (703) 324-2861