

## **New Kent County 2011 Legislative Requests**

New Kent County supports the legislative priorities of the Virginia Association of Counties as well as the legislative agenda of the Richmond Regional Planning District Commission.

In addition, New Kent County requests specific action on the following:

- Streamline and simplify Agricultural and Forestal District applications, renewals and withdrawals
  - The Agricultural and Forestal District program is an optional program under which landowners of qualifying properties can voluntarily enroll them for periods of up to 10 years and in return for pledging to maintain those parcels in agricultural or forestal use receive both reduced property taxes and limited protection from condemnation. The process required in §§15.2-4300 et seq. is cumbersome, lengthy and costly which should not be the case for an optional program by which a locality may choose to reduce the tax burden on its agricultural and timber land owners so as to keep working lands working.
- Declare “spice” and any and all forms of synthetic cannabinoids to be illegal and to be a controlled substance under Title 18.2 of the Code of Virginia
  - Synthetic cannabinoids have the same symptoms and effects as marijuana but also include even more dangerous health risks such as tachycardia (elevated heart rate), elevated blood pressure, anxiety, numbness and tingling, vomiting, hallucinations, tremors and seizures. For this reason, the manufacture, distribution, sale, possession and use of “spice” and any and all forms of synthetic cannabinoids should be illegal in Virginia.
- Study the impacts of expanding the options for gaming in the Commonwealth as a revenue source for transportation and resource protection infrastructure
  - The Commonwealth and her localities are facing increasing levels of unfunded infrastructure needs in transportation, water and sewer treatment, stormwater management and other infrastructure needs and facilities for which a non-taxpayer-generated revenue source such as expanded gaming options at the existing pari-mutuel horse track and associated off-track betting facilities will provide a substantial contribution. Studying the potential options available to determine positive and negative impacts, financial feasibility and the estimated revenue streams would allow decision-making to occur with full knowledge of the benefits and costs that could accrue.
- Study the feasibility, costs and benefits of adding components of LEED and “universal design” to the Uniform Statewide Building Code
  - There are more and more competing claims and “standards” regarding energy efficiency, sustainable construction, “visitability” and similar features and functions; these competing claims and “standards” may serve to confuse the consumer more than enlighten them. Determine whether the citizens and homebuilders may mutually benefit from having a statewide set of clearly defined standards as to what truly is and is

not a performance enhancement in new construction; determine if such standards would improve the business climate.

- Allow developers to competitively contract for the installation of utilities provided done under permit from and inspected by the utility owner
  - Developers competitively contract for, construct and install public streets and public water and sewer lines to the specifications of the public entities that will eventually own and maintain the streets, water lines and sewer lines. The construction occurs under the inspection of the ultimate owner, but the choice of firm performing the construction is left to the competitive marketplace. Installation of cable, telephone and electric utilities should be managed in the same manner and the introduction of competition will serve to drive down costs and improve timely performance allowing developers to avoid costly scheduling and work performance delays over which they exercise no control.
- Equalize the cost of installation for regulated utilities when done by or through the regulated utility owner regardless of whether installed overhead or underground
  - In localities where the use of underground utilities is required, there are huge variations in the costs quoted to landowners and developers for placing utilities underground instead of overhead. In many cases, the cost differentials seem not to result from any documented difference in actual costs, but instead reflect the preference of a utility owner to maintain overhead utilities. In the absence of competition, regulated utilities should not be permitted to engage in monopolistic price discrimination of this sort and should be required to equalize cost quotes regardless of whether the service is provided underground or overhead.

#### **Guidelines for Evaluation of Proposed Legislation Not on the Board's Legislative Agenda**

- The positions taken by VACo, VML and the Richmond Regional PDC shall be used to inform positions taken by New Kent County; unless there is overwhelming rationale to the contrary, the County will adhere to the positions taken by VACo, VML and RRPDC.
- Any new enabling legislation should be made available to all localities and not be restricted or defined by size, geographic location, or rate of growth.
- All enabling legislation should be permissive and not mandatory.
- If legislation is proposed to be mandatory, then assurance must be provided that it does not fall into a "one size fits all" situation.
- Mandatory legislation shall not impose unfunded costs on localities.
- Land use-related legislation shall recognize and defer to locally adopted land use regulation, particularly local comprehensive plans.

- Proposed legislation shall be examined for unintended impacts or implications (e.g. establishing a standard that might be less stringent than one already being practiced by localities).