



Glenn Youngkin
Governor

Caren Merrick
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Bryan W. Horn
Director

TO: Members of the Commission on Local Government
FROM: DHCD Staff
DATE: October 31st, 2022
SUBJECT: Draft Agenda and Meeting Materials

Please find enclosed the following:

1. Draft agenda for your regular meeting to be held virtually on Friday, November 4th 2022, at 11:00 a.m.;
2. Draft Minutes from the September 9th, 2022 Regular meeting of the Commission;
3. Articles of interest to the Commission;
4. REVISED Draft Timeline for Town of New Market/Shenandoah County Voluntary Settlement Agreement and Town of Leesburg/Loudoun County Annexation Case;
5. Code of Virginia Section § 15.2-3400 Voluntary settlements among local governments;
6. Code of Virginia Section § 15.2-2907 Actions for annexation, immunity, establishment of city, etc.; investigations and reports by Commission; negotiation;
7. Standards of Review for Annexation Cases before the Commission ;
8. The Draft 2022 Cash Proffer Survey and Report
9. REVISED Proposed Schedule of Commission Meetings for 2023

If you have any questions or require additional information, please feel free to contact us at 804-310-7151, or legrand.northcutt@dhcd.virginia.gov.

We look forward to seeing you on November 4th!





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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

AGENDA

Commission on Local Government

Regular Meeting: 11:00 a.m., November 4th, 2022

Virtual via Google Meet

Google Meet joining info

Video call link: meet.google.com/ezw-qdra-tfa

Or dial: (US) +1 314-328-9676 PIN: 374 914 623#

1. The November meeting of the Commission is virtual only. The Commission encourages members of the public to observe the meeting through the Google Meet link provided above. Please contact LeGrand Northcutt (legrand.northcutt@dhcd.virginia.gov) for information on how to connect to the meeting using this method.
2. Members of the public viewing the meeting through the Google Meet option are required to mute themselves during the meeting unless called upon by the Commission Chair to speak. The CLG reserves the right to remove from its virtual meetings anyone who does not abide by these rules.
3. Access to meeting materials for members of the public is available on the corresponding meeting page of the [Virginia Regulatory Town Hall website](#) and on [Commonwealth Calendar](#).

Call to Order

I. Administration

- | | |
|--|-----------------|
| A. Approval of the Draft Meeting Agenda | (Ms. Linderman) |
| B. Approval of September 9th, 2022 Regular Meeting Minutes | (Ms. Linderman) |
| C. Public Comment Period | (Ms. Linderman) |
| D. Staff Report | (Mr. Northcutt) |

II. Case Updates

- | | |
|---------------------------------------|-------------------|
| A. New Market/Shenandoah Overview | (Staff & Parties) |
| B. Leesburg/Loudoun Overview | (Staff & Parties) |
| C. Commission Deliberation and Action | (Ms. Linderman) |



III. 2022 Cash Proffer Survey and Report

A. Staff Presentation (Mr. Sawyer)

B. Commission Deliberation and Action (Ms. Linderman)

IV. Commission Workgroups Update

A. HB445/SB446 Stakeholder Advisory Group (Ms. Mahan & Ms. Wheaton)

B. Virginia Code Commission (Ms. Linderman & Mr. Northcutt)

V. Upcoming Events of Interest

A. Staff Presentation (Mr. Northcutt)

VI. 2023 Proposed Schedule of Commission Meetings

A. Staff Presentation (Ms. Wheaton)

B. Commission Deliberation and Action (Ms. Linderman)

VII. Other

(Ms. Linderman)

VIII. Adjournment

(Ms. Linderman)





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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Commission on Local Government

September 9, 2022

11:00 A.M.

Henrico, Virginia

Members Present

Diane M. Linderman, PE, Chair
Ceasor T. Johnson, D.Min, Vice Chair (attending virtually)
Rosemary M. Mahan (attending virtually)
Stephanie Davis, PhD
Edwin S. Rosado

Members Absent

None

Call to Order

The Commission on Local Government (CLG) Chair, Diane M. Linderman, called the meeting to order at 11:00 a.m.

Mr. LeGrand Northcutt, Senior Policy Analyst at the Virginia Department of Housing and Community Development (DHCD) initiated a roll call vote. Mr. Northcutt informed Chair Linderman that a quorum of Commissioners Linderman, Davis, and Rosado was present in person. Commissioner Mahan attended the meeting virtually via Google Meet from her residence in Hague, Virginia, due to medical condition that prevented her attendance.

Commissioner Johnson attended the meeting as a member of the public until his attendance could be approved under the new electronic meetings policy.

Administration

After discussion, Section IX of the draft agenda was stricken, and the remaining agenda adopted unanimously on a motion by Commissioner Davis and second by Commissioner Rosado.

The minutes from the July 8th regular meeting were adopted unanimously on a motion by Commissioner Davis and second by Commissioner Rosado.

Chair Linderman opened the floor for the public comment period.



Adam Farris of Pulaski County appeared before the Commission for the public comment period and noted that he was interested in observing the proceedings related to the Town of Dublin and Pulaski County.

The public comment period was closed.

Staff Report and Updates

Mr. Chase Sawyer, Senior Policy Analyst at the Department of Housing and Community Development, introduced himself to the Commission as the newest member of the Commission's staff.

Mr. Northcutt gave an update on articles of interest to the Commission that were distributed in the meeting packet.

Electronic Meetings Policy

Mr. Northcutt gave an overview of proposed changes to the Commission's electronic meetings policy. Changes were written to incorporate the provisions of HB 444 (2022) which provides for increased options for virtual attendance and all-virtual public meetings.

Chair Linderman suggested changes to the draft policy to provide clarity and allow the chair to deny a request for virtual attendance if a quorum will not be present in person.

The Commission discussed what must be included in the minutes when a member is attending virtually and the necessity of needing a process to vote against a Commissioner attending virtually.

Commissioners Davis and Mahan suggested changes related to formatting and providing clarity of what must be recorded in the minutes.

After discussion Commissioner Rosado moved adoption of the Electronic Meetings Policy subject to the changes discussed in the meeting and final approval of the Chair. The motion was seconded by Commissioner Davis. The motion passed unanimously by roll call vote.

Virtual attendance of Commissioner Johnson

Pursuant to the newly adopted Electronic Meetings Policy, Chair Linderman waived the requirement to notify the chair ten days before the meeting for absences, and requested the Commissioner Johnson be allowed to join the meeting virtually. There was no objection.

Commissioner Johnson attended the remainder of the meeting virtually because his principle place of residence was more than 60 miles from



the meeting location. He attended from his home in Lynchburg, Virginia.

Updates on Commission Cases

Mr. Northcutt provided an update on Commission cases. The Martinsville Reversion is proceeding to a hearing before a special three judge panel. The Town of Dublin has indicated to staff that they may be filing an agreement defining annexation rights in the near future, and there have been reports that the town of Warrenton has approached Fauquier County about a potential annexation.

Staff presented alternative timelines for the potential agreement defining annexation rights (assuming that it is filed with the Commission before its next regular meeting) and the process for reviewing such agreements when they come before the Commission.

The Commission gave approval for staff to invite officials from the Town of Dublin and Pulaski County to the November meeting if a case is filed with the Commission before that time. The Commission further requested that staff ask the Town and County to present to the Commission and again to the public at multiple meetings.

Updates to the regulatory process

Staff gave a presentation on guidance from the Office of Regulatory Management. The presentation covered how the Commission may be affected by new rules related to the Unified Regulatory Plan and periodic reviews of regulations.

Catalog of State and Federal Mandates

Mr. Northcutt presented the changes to the 2022 edition of the Catalog of State and Federal Mandates on Local Governments. The changes were approved unanimously upon a motion by Commissioner Rosado, seconded by Commissioner Davis.

Commission Workgroup Updates

Staff gave updates on the Broadband Stakeholder Advisory Workgroup and the Virginia Code Commission Workgroup on Public Notices.

PDC Annual Reports

Mr. Sawyer gave an update on the annual reports of the Planning District Commissions. Those reports will be presented to the Commission at a later meeting.

Events of Interest

The Commission discussed upcoming events of interest, which include the Virginia Municipal League's Annual Conference, the Virginia Association of County's Annual Conference, and the Virginia Governor's Housing Conference.

Other business

There was no other business brought before the Commission.



Adjournment

Commissioner Rosado moved to adjourn until the next regular meeting on November 4th with a second by Commissioner Mahan. The motion passed unanimously.

DRAFT



VML membership adopts policy statements and legislative program

The VML membership held its annual business meeting on October 3, 2022, in Richmond as a part of the Annual Conference.

As a part of that meeting, the membership adopted changes and updates to the five policy statements and adopted the 2023 Legislative Program.

The revised policy statements and updated legislative program will be posted to the VML website next week. Watch for a Special Edition of eNews to announce when they are available.

The legislative program includes three priorities for 2023: Support for public education; clarification of local referendum authority and state support to assist localities with administrative, health, public safety and other related costs related to the start of legal sales of marijuana; and addressing the funding loss to transportation from the elimination of a dedicated revenue stream during the 2022 General Assembly session.

Other legislative program items include support the state assistance to local law enforcement (H.B. 599 program); opposition to any state-mandated exemptions to the local option sales tax on groceries and hygiene products without a viable revenue replacement; funding of community services boards; economic development; land use control; support for local authority for excise taxes on the sale of vaping products and cannabis products; sovereign immunity; and water quality improvement fund allocation for wastewater projects.

VML Contact: Janet Areson, jareson@vml.org

[\[top of page\]](#)

Federal Funding

Act now for federal funding for Low Income Household

https://www.bayjournal.com/news/growth_conservation/data-center-decisions-could-have-big-land-use-impacts-in-virginia-s-prince-william-county/article_51ef20a2-5166-11ed-9409-b386158a70c3.html

Data center decisions could have big land use impacts in Virginia's Prince William County

Whitney Pipkin

Oct 21, 2022



Kyle Hart, Mid-Atlantic program manager for the National Parks and Conservation Association, speaks to a reporter at a rally on Sept. 14, 2022, to oppose data center development in Prince William County, VA. (National Parks and Conservation Association)

A growing number of environmental groups and residents have come out against data center development in Prince William County, VA, where they say it would imperil water quality, natural resources and a national battlefield. At the same time, officials in the county continue to approve changes that are paving the way for such projects.

The largest data center proposal, called the Prince William Digital Gateway, would rezone 2,100 acres of land next to Manassas National Battlefield Park currently designated for agricultural and environmental uses. The proposal originally came from a coalition of residents who say that the conversion of their farms and properties near Interstate 66 to data centers is inevitable and would like to sell the land while they can.

Data centers have generated millions of dollars in tax revenue for nearby Loudoun County, VA, which spent decades amassing the **largest concentration of such facilities** in the world.

Prince William County already has set aside land for data centers in its comprehensive plan and offers the industry a lower tax rate than Loudoun County. But officials say there is still more demand than available land.

If the Digital Gateway and a handful of other projects in Prince William's pipeline are approved, the county's data center footprint could quickly eclipse Loudoun's. New data center proposals are now **driving a conversation** about what the future of Prince William County should look like — with many competing narratives.

Backers of the data center projects say the development will bring in tax revenue to improve schools and other facilities. But many of those advocates who have spoken up during public comment periods also intend to sell their land to the developers for up to **\$1 million per acre**.

Those who oppose the projects say the county is going against its own comprehensive plan, which has designated a concentrated area for data center development.



Residents of Prince William County, VA, view maps showing potential land use changes that would allow for the development of data centers.

Whitney Pipkin

“If they’re not willing to stick to their comprehensive plan, they will not be able to fight [data center development] anywhere,” said Kathy Kulick, who leads a coalition of more than 50 homeowners’ associations opposed to the projects. “If you can build it here — next to a national park and on a drinking water reservoir — then it will go everywhere.”

In mid-September, the county’s planning commission narrowly advanced with a 4-3 vote and one abstention a comprehensive plan amendment that makes way for the contentious Digital Gateway project. The decision came after a public hearing that started at 7 p.m. on a Wednesday night and ended after 5 a.m. the next day, with more than 200 people signed up to comment.

That commission’s recommendation now goes before the county Board of Supervisors, which is expected to make a decision on the project as early as Nov. 1.

More than 30 regional and national organizations, including the National Park Service and Virginia Department of Forestry, are saying that the project’s impacts could be “irreversible.”

“Development is not imminent unless county decisions make it imminent,” said Kyle Hart, Mid-Atlantic program manager for the National Parks and Conservation Association. “You cannot find one environmental group in the state of Virginia or nationally that thinks this [project] is a good idea.”

The association hosted a rally and press conference before the planning commission meeting on Sept. 14. Since then, organizations engaged with the issue have also signed onto letters urging regional and national elected officials to get involved. So far, none have.

That could be, in part, because of the unique political dynamics unfolding around the projects. Supervisor Jeanine Lawson, a Republican representing Brentsville on the board, has been the most vocal opponent of unrestrained data center development, citing in particular the project’s possible impacts on the environment.

More than 30 organizations were involved in a rally on Sept. 14, 2022, to protest data center development in Prince William County, VA. (National Parks and Conservation Association)

“The reality is this will just be the first domino, and that’s why there are so many concerns about what this will do to our rural area and, frankly, to our watershed,” Lawson said during a June 7 meeting after presentations from water quality experts who she had invited to speak about the project. “Some of my colleagues are saying, ‘Prince William County’s gonna change.’ Well, that’s code for, ‘We’re going to develop our rural area.’”

One of the two other Republicans on the Board of Supervisors, Peter Candland, has recused himself from votes on the topic because he is among the property owners who intend to sell their land to data centers. Residents living in his Gainesville district have begun a **recall for his position**.

“He’s no longer representing us,” said Taysha King, who lives in Gainesville’s Oak Valley neighborhood.

Democrats on the board, including Chair Ann Wheeler, have downplayed the environmental concerns at meetings, pointing to opportunities to preserve trees and open space on a portion of the project’s acreage. Requirements that the developers do so, though, were removed from the planning commission’s recommendations by a letter that got last-minute approval in September. The 31-page **letter**, which some board members and the public had not seen before the meeting, came from data center developers and suggested stripping wildlife corridors, open space and stormwater reduction measures from the plan before approving it to provide developers more “flexibility.”

Environmental advocates are concerned that some of the regional and federal representatives who have battled projects like these in the past, typically Democrats, may not go to bat over them against other Democrats in Prince William County.

Conservation groups are also concerned about the decision-making process for projects that involve lucrative, emerging industries like data centers and the tech giants that fuel their expansion. Their letter to state and federal leaders states that, while tax revenues from data centers can be hard to ignore, decisionmakers may not be considering the “long-term tangible and intangible environmental costs.”

The superintendent of Manassas Battlefield National Park in Virginia said that proposals to encourage the development of large data centers in the area are the “single greatest threat” to the park in nearly 30 years. (Hugh Kenny/Piedmont Environmental Council)

Hart of the Parks Association reiterated an alternative that others have suggested: the county could increase its tax rate on data centers to generate immediate revenue while taking more time to consider the proposals and their impacts. Prince William County raised its business property tax rate on computers and peripherals from \$1.50 per \$100 of assessed value to \$1.65 this summer. But that is still below Loudoun County’s rate of \$4.20. Increasing the tax rate, he and others have said, could produce a similar bump in revenue without devoting more land to data centers.

The Prince William board unanimously agreed in August to **study how the data center projects would impact water quality**, but decisions about the project will probably be made before that study is complete. One of the primary concerns is how the additional development would impact the Occoquan Reservoir, which supplies 30-40% of the **drinking water** to portions of Prince William and Fairfax counties in Northern Virginia.



Fairfax County local news

COUNTYWIDE, NEWS

Virginia's limits on local authority are becoming "more intrusive" for Fairfax County, board chair says

Matt Blitz October 6, 2022 at 3:30pm



Fairfax County Board of Supervisors Chair Jeff McKay (file photo)

Fairfax County deserves more local authority, Board of Supervisors Chairman Jeff McKay says, calling Virginia's Dillon Rule "increasingly more intrusive" in day-to-day operations.



However, McKay argues this system treats counties as so “unsophisticated” that they need the state to make decisions for them — an assumption that seems particularly outdated for a locality like Fairfax County, which is home to nearly 1.2 million people and an [annual budget of \\$4.7 billion](#).

“It’s a...broken, inconsistent, and non-responsive system for our constituents that needs modernization,” McKay told FFXnow. “Every time we need something, we’ve got to go to Richmond and beg because most [Virginia] localities don’t need or want that authority. And that’s a problem.”

McKay [told Axios D.C.](#) last month that he wanted the county to have more control over its destiny, including the option to levy personal income taxes.

He calculated that Fairfax County only gets 23 cents for each dollar it pays in state taxes. While some disputed that exact calculation, McKay says the county sends enough revenue to the state that it should have more authority to determine how it’s generated.

“I think the county should have the authority to levy any tax that they want and let their voters hold them accountable,” he said. “The state should not be telling them, ‘You can’t raise revenue this way or that way or any other way.’”

If allowed to do this, he would consider a personal income tax as a means to lower — or, even, eliminate — the [real estate tax](#), which provides over \$3 billion, or [roughly 68%](#) of the county’s [annual revenue](#). He says it would be a fairer, more equitable, and less risky way of raising revenue.

The Dillon Rule’s restrictions on local authority go beyond taxes, hampering day-to-day operations of the county, McKay says, arguing that the “one-size-fits-all” mentality of governing no longer works in a state where counties are diverse in size, population, and budgets.

For instance, rewinding to 2020, McKay says he and other Northern Virginia leaders had to “compel” then-governor Ralph Northam to [delay rolling back](#) Covid restrictions in the region.

At the time, Fairfax County’s [infection numbers](#) were a lot closer to those in D.C. and Montgomery County than to Roanoke or smaller Virginia localities. Yet, while D.C. and suburban Maryland [could keep](#) their covid restrictions in place, Northern Virginia was initially on the same timeline as the rest of the Commonwealth.



interest of Fairfax County.”

McKay says the Dillon Rule is also a factor in the case of the Glasgow Middle School counselor who was [arrested last year](#) for a sex crime but stayed employed by Fairfax County Public Schools for months after.

“Another example of a challenge in my community that...fell through the cracks because of a lack of detail, lack of aggressiveness, and lack of awareness of what the Virginia standard or requirements are for localities reporting these incidents,” he said.

In addition to [advocating for](#) a centralized, statewide notification system, county and school leaders [are looking into](#) the [FBI's Rap Back program](#), which notifies employers if a worker's fingerprints are added to its database in connection with criminal activity. However, FCPS can't join unless the entire state enrolls.

As [reported last week](#), McKay also cited the conflict between FCPS' [policies](#) on the treatment of transgender and other gender-nonconforming students and [those proposed](#) by Gov. Glenn Youngkin's administration as another example of local authority being usurped by state lawmakers.

Even on less contentious matters, the Dillon Rule has slowed down the county's ability to act, McKay says. It took at least five years for the General Assembly to allow the [installation of solar panels](#) on a county-owned closed landfill in Lorton.

“The idea that we couldn't be greener sooner because the state didn't give us express permission to do that was terribly frustrating to me,” McKay said. “We literally could not use the property that we own for what we want to do with it, that benefits Virginia, without getting General Assembly approval.”

If the county decides to address ongoing trash service issues by [franchising haulers](#), that again would require a change in Virginia state code and another visit to the General Assembly.

When he tells residents that even some of the most basic county functions have to be approved by state officials, they often find it “maddening.”

“This is a problem of a part-time legislature in Richmond who likes the authority that they have to create one size fits all answers,” he said. “And we're left holding the pieces.”



Del. Paul Krizek ([D-44](#)) told Axios D.C. last month that ceding the power as McKay suggested is a “non-starter” that he doesn’t envision coming up in the General Assembly anytime soon. McKay said he’s not surprised by state lawmakers’ reluctance to change.

“They love their lever of control, and in essence, for it to go away, you’d be asking people who think they have control to cede that control,” he said.

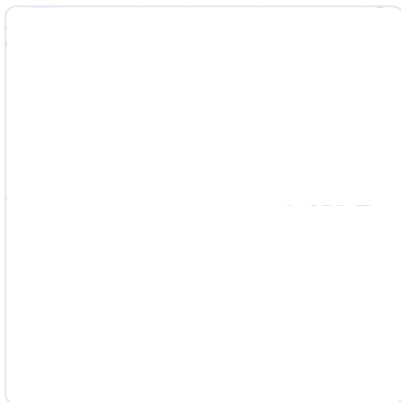
McKay conceded that there are smaller towns, cities, and counties in Virginia that don’t want or need the type of authority that Fairfax County is seeking.

He proposes that maybe localities over a certain size or budget could have more decision-making powers — or, over time, there will be perhaps an “annual erosion” of the Dillon Rule.

“The members of the Board of Supervisors and the 12 members of the school board...have a much better pulse on what’s going on and the day-to-day lives of our residents than people at the state level who may have never even visited Fairfax County,” McKay said. “I think [local authority] is important for effectiveness, efficiency, and direct representation.”

**#Fairfax County Board of Supervisors #General Assembly #Jeff McKay #Reston
#taxes #Tysons**

ALSO ON FFXNOW



https://www.nvdaily.com/nvdaily/new-market-requesting-state-approve-vsa-amendment/article_8afe329b-a6bb-5bce-989c-ca3aa79eda4c.html

New Market requesting state approve VSA amendment

By Nick Harpold The Northern Virginia Daily

Oct 18, 2022

NEW MARKET — The Town Council joined the Shenandoah County Board of Supervisors in approving a joint resolution petitioning the Virginia Commission on Local Government to consider an amendment to a town-county voluntary settlement agreement.

Council members Janice Hannah, Bob King, Scott Wymer, Peter Hughes, Peggy Harkness, and Mayor Larry Bompiani attended Monday night's Town Council meeting. Councilman Daryl Watkins was absent.

A voluntary settlement agreement, which passed in 2012, established growth areas on more than 1,700 acres outside of New Market that can be incorporated into town for residential or commercial growth. The council and supervisors each approved an amendment to the agreement that would reclassify 100 acres on the southeastern edge of town from agricultural to residential land. The town requested the amendment so it could grow.

However, the Virginia Commission on Local Government must review the amendment before it is finalized.

By a 5-1 Oct. 11 vote, the supervisors approved a resolution asking the commission to review the proposed amendment. On Monday, the town unanimously adopted the same resolution.

Bompiani said the county has been very helpful and is glad to see this process move forward.

"This whole relationship, I appreciate it," he said.

Also at Monday's meeting, the council unanimously approved the rezoning of 202 E. Old Cross Road from limited industry to general business.

The rezoning request was made after the town was recently offered \$307,500 by the Community Care and Learning Center to purchase the Old Cross Road property, which had been donated to the town by the American Legion.

A 9,000-square-foot building built in 1982 sits on about two acres of land on the property. The building includes an open-spaced area on the main floor, a basement with a dining/bar area, and bathrooms on both floors.

A contract to sell the property to Community Care and Learning Center was signed on Sept. 26. The town voted and approved to sell the property after an Oct. 3 public hearing. At Community Care and Learning Center's request, the contract was contingent on the rezoning and a conditional-use permit being approved — both of which are required to open a daycare facility on the property.

After the rezoning request was approved, the council unanimously approved a conditional-use permit allowing a daycare facility on the property.

https://richmond.com/news/state-and-regional/govt-and-politics/cordish-to-unveil-details-of-petersburg-casino-deal-next-week/article_416c1ffc-0559-5593-96f8-4f951d4eef08.html

ALERT TOP STORY

Cordish to unveil details of Petersburg casino deal next week

Michael Martz

Oct 20, 2022



Sen. Joe Morrissey, D-Richmond, shown in June with Petersburg Mayor Sam Parham nearby, opposes allowing Richmond to hold a second referendum for a casino.

Patrick Wilson

Michael Martz

Thursday afternoon weather: Clear skies with a warming trend

Be on the lookout for showers by Sunday afternoon

The details of a casino resort proposed in Petersburg remain a mystery, but the project's Baltimore-based developer plans to lift the curtain at a community meeting next week.

The Cordish Companies will make a public presentation of its plans at the Petersburg Public Library on Tuesday, one week after the City Council adopted a proposal to “explore the partnership” with the company to develop a casino resort at an undisclosed location in Petersburg. The meeting is scheduled to begin at 4 p.m.

After emerging from a closed meeting, the council also approved a motion by Councilman W. Howard Myers to approve a contract, retroactive to July 1, with the **Speller Consulting Group** LLC, “for the evaluation, review and consultation as it relates to the selection of a casino destination economic development project.”

People are also reading...

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 - 4 Thousands of terrified fish throw themselves onto Outer Banks beach, videos show**
-

The unanimous council votes came one day after the Joint Legislative Audit and Review Commission issued a long-awaited study that concluded that Petersburg could support a casino resort under a 2-year-old state law — if the General Assembly authorized the city to host a gaming operation.

But the study also reaffirms that Richmond could support a casino resort, even if Petersburg also builds one, setting the stage for what Senate Finance Chair Janet Howell, D-Fairfax, predicted will be “a brawl” when the General Assembly convenes in January.

 [Download PDF](#)

The surprise announcement pits Petersburg against Richmond in a casino competition that also could include the biggest name in horse racing, Churchill Downs, which is purchasing the entity that owns a horse track in New Kent County and a series of gaming parlors across Virginia, as well as a stake in ongoing efforts to build a casino resort in South Richmond.

The deal for Churchill Downs to purchase Peninsula Pacific Entertainment is expected to close early next month, but the company already has its eye on Richmond, according to a radio executive whose Washington, D.C., area company proposed a \$565 million casino resort next to Interstate 95 at Bells Road in Southside.

Cordish's revenge? It emerges as operator of proposed Petersburg casino

“They like the Richmond project,” said Alfred Liggins, CEO of Urban One, the lead partner in the proposed ONE Casino + Resort.

Richmond voters narrowly rejected a voter referendum last year on the proposed casino, the only one to fail in the five cities authorized to host a casino under the law.

But the city says it hasn't given up its quest for a lucrative industry that JLARC's national gaming consultant estimated could generate an estimated \$299 million in profits, and millions in local tax revenues, after one year of operation.

“We are committed to our selection of ONE Casino and Resort to develop an entertainment destination in South Richmond,” said Jim Nolan, press secretary for Richmond Mayor Levar Stoney, in an email on Thursday.

Richmond and its partners sought to put a second referendum on the ballot in November for a sweetened casino deal, but withdrew it after the General Assembly included language in the state budget to block a second vote until after JLARC completed its study of a potential casino in Petersburg.

The city had extended its contract with ONE, which it selected early last year after a lengthy and public competitive bidding process that attracted a half-dozen proposals, including one from Cordish for a casino resort on Arthur Ashe Boulevard in Scott's Addition that was a finalist for the project.

Sen. Joe Morrissey, D-Richmond, who pushed the budget language to block the second referendum, already has filed legislation to add Petersburg to the list of cities that the state authorizes to host a casino.

Study finds Petersburg, Richmond could support casinos, separately or together

Senate Bill 780 also would prevent a city within 25 miles — as Richmond is — from conducting a second referendum at least until after Petersburg is able to bring its proposed project to voters next fall.

He and Petersburg officials also don't want the state to allow Richmond to build a casino that would compete with one in the Cockade City, as Petersburg once was known.

By itself, a Petersburg casino could generate \$204 million in gaming revenues and create about 1,300 jobs, the JLARC study estimated, but those numbers would dwindle to \$140 million in revenues and about 1,000 jobs if Richmond also operated a casino.

Morrissey wasn't available to comment on Thursday, despite repeated attempts to reach him.

In Cordish, Petersburg picked a partner with deep experience in developing casinos, operating under the Live! brand in Baltimore, Philadelphia, Pittsburgh and two Florida cities.

But the details of the project — including its proposed location — have been shrouded in mystery and a process that unfolded out of public view.

Speller Consulting, the Henrico County firm Petersburg chose under a retroactive contract dating to July 1, is owned by Lisa Speller, who previously worked for two of the city's casino rivals, Colonial Downs and the city of Richmond. She also worked for the state under then-Gov. Ralph Northam.

Now registered as a lobbyist for Petersburg, she worked for two years as vice president of government affairs for Colonial Downs and Rosie's Gaming Emporiums, an expanding network of gaming parlors in South Richmond and a half-dozen other cities in Virginia.

The emporiums operate thousands of historical horse racing terminals that look like slot machines, but run on actual historical horse race results.

Speller also served as an adviser to Stoney in the first year of his first term, from January 2017, to January 2018.

It's official: One Casino won't be on Richmond ballots this November

"I'm excited to work toward transformational change for the City of Petersburg," she posted on her LinkedIn page this week. "Now let's get to work!"

Speller could not be reached for comment on Thursday.

The secrecy around the Cordish deal already roused the ire of Paul Goldman, a longtime political consultant and former law partner of Morrissey who helped lead opposition to the initial referendum for the ONE casino project in Richmond.

Goldman contends that Petersburg should have selected a casino developer through a public competitive bidding process, as Richmond and Danville did. (Norfolk, Portsmouth and Bristol did not conduct a competitive bidding process to select their casino developers.)

He also questions whether the state constitution allows a locality to award a monopoly franchise without the express approval of the state.

“This is clearly not what the constitution of Virginia intended. ... We don’t want to do business that way in our state,” Goldman said Thursday.

Petersburg officials have been silent about the project since the council meeting on Monday, but spokeswoman Joanne Williams said Thursday, “The city hasn’t awarded a contract yet.”

Top five weekend events: Pusha T, 'Dear Evan Hansen' & RVA Bacon Fest

https://www.loudountimes.com/news/government/local_towns/leesburg-initiates-annexation-of-compass-creek-including-microsoft-data-center/article_09013f76-3459-11ed-8b4c-a3a30e682e90.html

ALERT

EDITOR'S PICK

Leesburg initiates annexation of Compass Creek, including Microsoft data center

By Elizabeth Stinnette special to the Times-Mirror
Sep 14, 2022



The Town of Leesburg plans to annex the entirety of the Compass Creek development.

Courtesy Photo/Loudoun County Mapping

The Leesburg Town Council voted unanimously Tuesday night to initiate annexation proceedings of the entirety of the Compass Creek development, including the proposed Microsoft data center.

The town claims that stymied tax revenue sharing agreements with Loudoun County led to the motion. County Public Affairs Officer Glen Barbour said in an email that the county has been “continually engaged” with the town, calling the town’s move “adversarial.”

Both the county and the town agreed from the beginning that Compass Creek would be serviced by Leesburg water and sewer, and would eventually become part of Leesburg in a boundary line adjustment, Town Attorney Chris Spera said in a written statement.

Because of this, the town approved utility service to the Microsoft data center in August 2020. The town and county also agreed to amicable boundary line adjustments in April 2020 and April 2022. However, the county has been slow to finalize the April 2022 adjustment of Walmart and At Home, according to Spera.

Barbour responded that as of last week, this boundary line adjustment is in the town’s court. The Board of Supervisors approved a memorandum of understanding (MOU) with Leesburg on Sept. 6. According to the MOU, in order to process the adjustment, the town will need to sign the MOU and provide property owner consent letters for the concerned properties, as well as a draft petition to file with the court.

According to the county, the main reason that it hasn’t moved faster on boundary line adjustments for the rest of Compass Creek is because the remaining property owners, including Microsoft, haven’t agreed to become part of Leesburg.

However, Spera said that the town’s utility service has been integral for the Microsoft development schedule, and that the town wants to share in the economic development it helped create.

“The town has negotiated in good faith with the county,” Mayor Kelly Burk said in a written statement. “However, as negotiations have moved forward, the County has continually reduced the potential benefit to the Town... We remain committed to reaching a mutually beneficial resolution;

however, any agreement with the County must be on fair and reasonable terms to the Town. Leesburg has been a partner in this economic development project and should benefit from this project's success.”

Currently, the county receives property tax revenue from all of Compass Creek, but the Town of Leesburg only receives tax revenue for properties within town limits. Once annexed, properties would pay both town and county property taxes.

“The county and town are working on a boundary line adjustment (BLA) agreement for property owners who have agreed to come into Leesburg,” Barbour said in an email. “Leesburg’s proposed adversarial annexation seeks to bring within its boundaries property owners who have not agreed to come into the town. “

Leesburg intends to continue BLA discussions with the county in addition to the annexation proceedings. Council voted Tuesday night to nominate a rotating set of two council members to attend private meetings with county representatives. Burk and Councilman Neil Steinberg will attend the first meeting, date to be determined.

“The overwhelming number of cases are solved by mutual consent rather than adjudication... That certainly is my preference,” Spera said Tuesday night. “We want to work with the county but have a parallel track in case that doesn’t work out.”

Fairfax > Business > Activists ponder: Should McLean go the incorporation route?

Fairfax | Business | Politics

Activists ponder: Should McLean go the incorporation route?

By **Brian Trompeter** October 13, 2022



It's an idea that's been bandied about for decades: Should McLean incorporate itself as a city or town to obtain greater sway over its fortunes than being under Fairfax County's control?

The McLean Citizens Association (MCA) in January 2021 formed a Community Governance Committee and gave it a five-year mission to ponder those prospects in detail. The MCA board on Oct. 6 discussed the committee's progress report and found that members are divided on how – and whether – the work should continue.

MCA appointed the committee because of an upcoming change in state law and dissatisfaction on the part of some community members on how well McLean is faring as part of Fairfax County.

A state law prohibiting creation or annexation of new cities and towns took effect Jan. 1, 1987, and expires July 1, 2024. MCA leaders want the committee to study various options in advance so as to be ready to act when the opportunity to alter McLean's governance opens up.

Sponsored

“We’re trying to build a network, lay the groundwork,” said Drew Clark, the committee’s chairman. “The whole point is to build a catalog of advantages and disadvantages to greater local government.”

Becoming a city or town is no simple matter. The resulting entity either would need to provide municipal services – schools, police, fire and rescue, public works, parks and recreation, roads, courts, planning and zoning, etc. – or contract to do so with a nearby jurisdiction, such as Fairfax County.

The Community Governance Committee so far has held one public-safety meeting, which involved a presentation from M. Douglas Scott, a former police chief in the city of Fairfax and Arlington and Fairfax counties. Larger police departments typically offer worse take-home pay for officers than they would receive from smaller agencies, but better retirement benefits, Scott told the group.

Bigger police agencies also afford personnel the opportunity to do specialized work (such as helicopter and tactical units), while officers in smaller departments may suffer from “boredom issues,” Scott said. Smaller police agencies offer quicker responses than their larger counterparts, which tend to allocate available personnel where crime is heaviest and leave other areas with far fewer patrols, he said.

The committee has held education-related meetings with Fairfax County School Board members Elaine Tholen (Dranesville District) and Megan McLaughlin (Braddock District) and Falls Church City School Board member Kathleen Tysse.

The county School Board members emphasized the advantages of Fairfax County Public Schools’ size, saying this allowed for economies of scale and made it easier to offer a wider selection of courses and obtain AAA bond ratings for capital-improvement projects.

Tysse said the smaller Falls Church City Public Schools had fewer bureaucratic obstacles, devolved administrative authority further down the chain of command and had smaller class cohorts, which resulted in closer personal associations amongst students.

MCA board member Kent Holland said Montgomery County, Pa., where he used to live, had 40 townships with their own school superintendents, who each made \$250,000 per year.

“They pay three times more taxes,” he said. “We get better services. I don’t understand why we’re looking at this.”

Board member David Pritchett said cost should not be the only factor, and affluent McLean could afford to spend more to reduce class sizes.

By having its own education system, McLean would be able to respond to school-facilities needs more quickly, said board member Joanne Sears, who added McLean High School will not be spruced up again until 2042.

MCA members agreed the committee's mission was "gargantuan" and needed to build a solid analytical base before drawing conclusions. Some urged the committee not to duplicate efforts, while others suggested the body could delegate its work to MCA's other committees and serve as overall project manager.

Forming independent cities and towns is not a viable prospect for localities elsewhere in the state, but some Northern Virginia jurisdictions have expressed an avid interest in doing so, said William Henneberg, who served as the committee's vice chairman.

Leesburg officials, for example, are exploring whether to change the locality from a town to a city, he said. (Towns are part of – and pay taxes to – their surrounding counties, while cities are their own entities.)

MCA member Merrily Pierce cataloged these previous discussions about McLean's possible incorporation as an autonomous entity:

- McLean residents entertained that possibility in the late 1940s so as to provide more urban amenities, such as water and sewer systems. MCA appointed a committee on the issue and it welcomed guest speakers and conducted a public survey.
- A decade later, in the late 1950s, MCA appointed another committee to examine incorporation as a way of gaining greater control over land-use decisions. The group also considered the possibility that Arlington County or the city of Falls Church might annex parts of McLean.
- MCA leaders in 1960 opposed Fairfax County's plans to switch to an urban-county form of government, but the county enacted it in 1966.
- MCA in the early 1970s appointed committees to study incorporating McLean as a town. Following recommendations in MCA's report, the late Supervisor Rufus Phillips appointed a task force concerning a potential Elected Community Council for McLean. The Board of Supervisors, however, in 1975 rejected the proposal for such community councils.
- MCA in 1976 advocated for a McLean Advisory Council, which officially would make recommendations to the Dranesville District supervisor.
- The late state Sen. Clive DuVal during this time frame worked with MCA on the possible incorporations of McLean, Reston and Annandale. MCA in 1978 also formed a committee on potential city status for McLean.

The incorporation topic has not been explored significantly since the 1980s, Pierce noted.

MCA's Community Governance Committee meets on the second Monday of most months, but because of the recent federal holiday will convene next on Oct. 17. The meetings occur at the McLean Community Center and may be accessed on Zoom as well.

https://richmond.com/news/state-and-regional/govt-and-politics/legislators-cooperatives-push-for-continued-rural-broadband-expansion/article_6e5dde91-825e-5151-b7e5-98169501b477.html

ALERT TOP STORY

Legislators, cooperatives push for continued rural broadband expansion

Charlotte Rene Woods

Sep 25, 2022

Sen. Kaine: How the Infrastructure bill will help with broadband ...

Sen. Kaine: How the Infrastructure bill will help with broadband distribution in Virginia

Emily Brewer is a small-business owner and lifelong **Isle of Wight County** resident. She is also a state delegate — but she doesn't have an internet connection at home.

So **Brewer, R-Suffolk**, carries a portable Wi-Fi device with her “pretty much everywhere.” It suffices for when she needs to check email from her home, but she recalled how the increased need for virtual meetings amid the earlier days of the COVID-19 pandemic meant she had to spend long hours in the office at her wine shop in Suffolk in order to participate.

People are also reading...

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“I actually had to pretty much conduct the entire General Assembly session from the office of my business because I couldn't do it at my home,” she said.

Virginia to receive \$220 million federal grant to expand broadband networks for high-speed internet

According to 2020 census data, somewhere between 12% and 20% of homes lack broadband access - one of those Brewer's. Neighboring counties, Southampton and Isle of Wight range between 20% and 24% of households lacking access — the percentages climb higher in Southside and Southwest Virginia where more up to or more than 30% of households do not have internet.

The idea of expanding broadband in rural areas is something Brewer is passionate about — and she cites the intersectionality of benefits, such as remote work, telehealth, economic development and education. Brewer noted how the pandemic brought the issue of lack of access more to the forefront.

“With children trying to learn online in areas that didn't have internet, there was a vast difference,” Brewer said. “I think that everybody else finally understands that this is, you know, not a luxury. It's a necessity.”

Brewer and Del. David Reid, D-Loudoun, are among state legislators to advocate for funding to help rural localities build out broadband fiber.

Reid points to investments in the state budget in recent years towards the **Virginia Telecommunication Initiative** as an example of something that has helped rural areas catch up. The program, which was first created in 2017, has offered grant opportunities for localities and cooperatives seeking to expand broadband access. It's something Reid said that Virginia should continue to invest in.

Federal funds

The U.S. Treasury announced in June that Virginia would get \$220 million in federal grants to help build out broadband networks across the state. The department said Virginia would be one of the first states to receive grants from a \$10 billion capital projects fund created in the American Rescue Plan Act that President Joe Biden signed into law last year. The grants will allow Virginia to expand high-speed internet service to almost 78,000 homes and businesses, about 28% of the users still lacking broadband access in the state.

Virginia officials had anticipated the grants when then-Gov. Ralph Northam proposed to use more than \$700 million to expand broadband networks, including about \$500 million from the \$4.3 billion the state received from the American Rescue Plan. The General Assembly approved the allocation of the ARPA funds in an August 2021 special session.

Separately, the \$1 trillion infrastructure bill that Biden signed in November is expected to provide at least \$100 million for accelerating Virginia's efforts to achieve universal broadband access.

Brewer noted how earlier this summer Suffolk, Isle of Wight and Southampton counties celebrated groundbreaking on a broadband project after teaming up on a **\$35 million grant application.**

“The best thing for localities to really be able to do is partner together because it makes their grant applications stronger,” Brewer said. “The scope of the project is larger and more worthwhile. We're able to connect more.”

Electric cooperatives have been part of the solution, too. With rural areas having fewer homes in need of fiber per mile than more dense, urban or suburban areas, the cost to build out infrastructure often doesn't yield a high enough return on investment for utility companies to justify.

Northam announces \$2 billion investment with local, private partners to expand broadband

But electric cooperatives are member-owned and function like a nonprofit — meaning the money earned is largely invested back into the organization. In this case, it's providing electricity and internet to area residents.

“We're not just cherry picking the highly populated areas, we're taking it to everybody and leaving nobody unserved,” said Casey Logan, CEO of RURALBAND, a cooperative that serves areas south of Petersburg.

RURALBAND is part of the Virginia, Maryland, and Delaware Association of Broadband Cooperatives. In Virginia, cooperatives participating in the coalition have connected about 30,000 homes since 2017 and plan to connect an additional 200,000 within the next three to five years.

However, as cooperatives focus on expanding access in the rural areas around the state, a disparity remains in urban areas.

“There might be fiber in the street, but the housing complex that's right there, the individuals can't actually afford it,” Reid said.

Suburbs of Richmond and Petersburg have more connected households than residents in the cities. Almost 30% of Petersburg's 13,231 households do not have broadband internet access while 22% of Richmond's 91,000 households lack access.

The problem here, Reid said, is income levels. That's where he points to the **Affordable Connectivity Program** that is offered through the Federal Communications Commission. It offers qualifying residents up to \$30 per month toward their internet service bills.

Northam announces \$79 million grant to expand broadband in 13 localities, including Goochland and Powhatan

As for ongoing efforts to keep momentum on expanding access, Reid and Brewer noted the continued need for local governments and cooperatives to coordinate on grant applications and for the state's government to continue its investments into those opportunities.

Reid added that he will be mindful of future challenges such as ongoing supply chain issues and rising construction or equipment costs that have occurred in recent years. But he and his colleagues are all ears, he said.

While participating in a panel this month during the Virginia, Maryland, and Delaware Association of Broadband Cooperatives second annual fiber expo, he explained how listening to constituents helps him and his colleagues draft legislation.

“I would encourage you to use the information that you have about us — send us your ideas, send us your suggestions,” Reid said.

**Commission on Local Government
Proposed Review Schedule**

**Leesburg/Loudoun Annexation and
New Market/Shenandoah Voluntary
Settlement Agreement**

| CLG Review Calendar | New Market/Shenandoah VSA | Leesburg/Loudoun Annexation |
|----------------------------|---|--|
| September 2022 | | Sept 28: Receipt of notice |
| October 2022 | Oct 18: Receipt of notice Oct 31: Review of proposed action with parties | Oct 11: Review of proposed action with parties |
| November 2022 | Nov 4: Regular Meeting w. Parties | Nov 4: Regular Meeting w. Parties |
| December 2022 | | |
| January 2023 | | |
| February 2023 | | |
| March 2023 | Mar 9-10: Shenandoah/New Market Presentation & Public Hearing (In conjunction with March Regular Meeting) | |
| April 2023 | | |
| May 2023 | May 5: Report Approval (in conjunction with May Regular Meeting) | May 17 – 19: Leesburg/Loudoun Presentation & Public Hearing |
| June 2023 | | |
| July 2023 | | July 7: Report Approval (in conjunction with July Regular Meeting) |

Commission on Local Government

**New Market/Shenandoah
Voluntary Settlement Agreement**

**Governing Statute & Standards of
Review**

Code of Virginia

Title 15.2. Counties, Cities and Towns

Chapter 34. Voluntary Settlement of Annexation, Transition or Immunity Issues

§ 15.2-3400. Voluntary settlements among local governments.

Recognizing that the localities of the Commonwealth may be able to settle the matters provided for in this subtitle through voluntary agreements and further recognizing that such a resolution can be beneficial to the orderly growth and continued viability of the localities of the Commonwealth the following provisions are made:

1. Any locality may enter voluntarily into agreement with any other locality or combination of localities whereby any rights provided for its benefit in this subtitle may be modified or waived in whole or in part, as determined by its governing body, provided that the modification or waiver does not conflict with the Constitution of Virginia.
2. The terms of the agreement may include fiscal arrangements, land use arrangements, zoning arrangements, subdivision arrangements and arrangements for infrastructure, revenue and economic growth sharing, provisions for the acceptance on each other's behalf of proffered conditions under § [15.2-2298](#) or [15.2-2303](#), dedication of all or any portion of tax revenues to a revenue and economic growth sharing account, boundary line adjustments, acquisition of real property and buildings and the joint exercise or delegation of powers as well as the modification or waiver of specific annexation, transition or immunity rights as determined by the local governing body including opposition to petitions filed pursuant to § [15.2-3203](#), and such other provisions as the parties deem in their best interest. The terms of the agreement may also provide for subsequent court review, instituted pursuant to provisions contained in the agreement, by a special court convened under Chapter 30 (§ [15.2-3000](#) et seq.) of this title.
3. If a voluntary agreement is reached pursuant to this chapter, the governing bodies shall present to the Commission the proposed settlement. The Commission shall conduct a hearing pursuant to subsection A of § [15.2-2907](#). The Commission shall report, in writing, its findings and recommendations as to whether the proposed settlement is in the best interest of the Commonwealth. Such report shall not be binding upon any court but shall be advisory in nature only.
4. Upon receipt of the Commission report, the localities, by ordinance passed by a recorded affirmative vote of a majority of the members of each governing body thereof, may adopt either the original or a modified agreement acceptable to all parties. Before adopting such ordinance each local governing body shall advertise its intention to approve such agreement, or modified agreement, at least once a week for two successive weeks in a newspaper having a general circulation in its jurisdiction and such advertisements shall contain a descriptive summary of the agreement or modified agreement. Each locality shall hold at least one public hearing on the agreement or modified agreement prior to the adoption of the ordinance. The publication shall include a statement that a copy of the agreement, or modified agreement, is on file in the office of the clerk of the circuit court for each of the affected jurisdictions.
5. The governing bodies shall petition a circuit court having jurisdiction in one or more of the localities for an order affirming the proposed settlement. The circuit court with which the petition is filed shall notify the Supreme Court, which shall appoint a special court to hear the case as prescribed by Chapter 30 (§ [15.2-3000](#) et seq.) of this title. The special court shall be limited in its decision to either affirming or denying the voluntary agreement and shall have no authority, without the express approval of each local governing body, to amend or change the terms or conditions of the agreement, but shall have the authority to validate the agreement and give it full force and effect. The court shall affirm the agreement unless the court finds either that the agreement is contrary to the best interests of the Commonwealth or that it is not in the best interests of each of the parties thereto. In determining whether such agreement should be affirmed, the court shall consider, among other things, whether the interest of the Commonwealth in promoting orderly growth and the continued viability of localities has been met. If the agreement is validated and provides for annexation by a city or town, the agreement shall take effect on the first day of the

month succeeding validation of the agreement unless the agreement stipulates that the annexation shall be effective on some other date.

6. The agreement shall not become binding on the localities until affirmed by the special court under this section. Once approved by the special court, the agreement shall also bind future local governing bodies of the localities.

7. The applicable provisions of this chapter shall be deemed to have been met with regard to any voluntary fiscal agreement or voluntary agreement in settlement of an annexation, transition or immunity petition or voluntary settlement agreement entered into pursuant to this chapter (i) which was entered into before July 1, 1990, (ii) which had been reviewed or was in the process of review by the Commission on Local Government on or before July 1, 1990, (iii) which had been or was the subject of review by a special court convened under Chapter 30 of this title on or before July 1, 1990, or (iv) which had been or was approved by a special court convened under Chapter 30 of this title on or before July 1, 1990.

8. The provisions of § [15.2-3226](#) shall apply when a voluntary agreement made under this section includes the annexation of territory by a city or town. No election for members of council shall be held as a result of such annexation unless the city or town increases its population by more than five percent due to the annexation.

1983, c. 523, § 15.1-1167.1; 1985, c. 478; 1986, c. 333; 1988, c. 881; 1990, cc. 62, 326; 1994, c. [293](#); 1996, cc. [644](#), [650](#); 1997, c. 587; 2003, cc. [197](#), [444](#), [583](#); 2006, c. [212](#).

Commission on Local Government

Leesburg/Loudoun Annexation

**Governing Statute & Standards of
Review**

Code of Virginia
Title 15.2. Counties, Cities and Towns
Chapter 29. Commission on Local Government

§ 15.2-2907. Actions for annexation, immunity, establishment of city, etc.; investigations and reports by Commission; negotiation.

A. No locality or person shall file any action in any court in Virginia to annex territory, to have an area declared immune from annexation based upon provision of urban-type services, to establish an independent city, to consolidate two or more localities, at least one of which is a county, into a city, to make a transition from a county to a city or to make a transition from city status to town status, without first notifying the Commission and all local governments located within or contiguous to, or sharing functions, revenue, or tax sources with, the locality proposing such action. Upon receipt of the notice the Commission shall hold hearings, make investigations, analyze local needs and make findings of facts and recommendations, which may, in cases where immunity or annexation is sought, recommend a grant of immunity or annexation of a greater or smaller area than that proposed by the locality pursuant to the procedures of this chapter. Such findings shall be rendered within six months after the Commission receives notice from the locality intending to file court action, provided that the Commission on its own motion may extend the period for filing its report by no more than sixty days. No further extension thereafter of the time for filing shall be made by the Commission without the agreement of the parties. No court action may be filed until the Commission has made its findings of facts. Unless the parties agree otherwise, no court action may be filed more than 180 days after the Commission renders its final report as provided for in this section. While the matter is before the Commission, the Commission may actively seek to negotiate a settlement of the proposed action between the affected localities. The Commission may direct that the conduct of the negotiations be in executive session. In addition, the Commission may, with the agreement of the parties, appoint an independent mediator, who shall be compensated as agreed to by the parties. Offers and statements made in negotiations shall not be reported in the finding of facts or introduced in evidence in any subsequent court proceedings between the parties.

B. The Commission shall report, in writing, its findings and recommendations to the affected localities, any other localities likely to be affected by such proposed action, and to any court which may subsequently consider the action. The report shall be based upon the criteria and standards established by law for any such proposed action. The report, or any copy thereof, bearing the signature of the chairman of the Commission shall be admissible in evidence in any subsequent proceeding relating to the subject matter thereof. The court in any such proceeding shall consider the report but shall not be bound by the report's findings or recommendations.

Before making the report the Commission shall conduct hearings at which any interested person may testify. Prior to the hearing, the Commission shall publish a notice of the hearing once a week for two successive weeks in a newspaper of general circulation in the affected counties and cities. The second advertisement shall appear not less than six days nor more than twenty-one days prior to the hearing.

C. A court on motion of any party or of the Commission may for cause shown extend the time for filing of the Commission's report but no such extension of time shall exceed ninety days unless the parties agree otherwise.

D. Except for any hearing or meeting specifically required by law, Chapter 37 (§ [2.2-3700](#) et seq.) of Title 2.2 shall not be applicable to the Commission nor meetings convened by members of the Commission, its employees, or by its designated mediators with local governing bodies or members thereof, nor shall such chapter be applicable to meetings of local governing bodies, or members thereof, held for purpose of negotiating any issues which are or would be subject to the Commission's review. Offers and statements made in any negotiation or mediation activity conducted under the direction of the Commission shall not be recorded in any report issued by the Commission, nor shall they be introduced in evidence in any subsequent court proceeding by the Commission or any other party.

E. Notwithstanding any other provision of law, any locality, either prior or subsequent to the filing of any annexation or partial immunity suit in any court of this Commonwealth in which it is one of the parties, may notify the Commission on Local Government that it desires to attempt to negotiate an agreement with one or more adjacent localities relative to annexation or partial immunity under the direction of the Commission. A copy of the notice shall be served on all adjacent localities. The affected localities shall then attempt to resolve their differences relative to annexation or partial immunity, and shall keep the Commission advised of the progress being made. The Commission, or its designee, may serve as a mediator and the Commission's staff and resources shall be available to the negotiating localities. All expenses of the negotiations, including expenses of the Commission or its staff incurred in the negotiations, shall be borne by the parties initiating the notice unless otherwise agreed by the parties. All suits for either annexation or partial immunity by or against any locality involved in such negotiations shall be stayed while the negotiations are in progress. If, after a hearing, the Commission finds that none of the parties is willing to continue to negotiate, or if it finds that three months have elapsed with no substantial progress toward settlement, it shall declare the negotiations to be terminated. Unless the parties agree otherwise, negotiations shall in any event terminate twelve months from the date the initial notice was given to the Commission. Immediately upon such finding and declaration by the Commission, or upon the expiration of twelve months from the initial notice or any agreed extension thereof, whichever first occurs, any stay of a pending suit for annexation or partial immunity entered under this section shall automatically terminate and no new notice to negotiate shall thereafter be filed by any party.

F. A locality may proceed simultaneously under subsections A and E of this section.

1980, c. 558, 577, 592, § 15.1-945.7; 1983, c. 217; 1985, c. 478; 1988, c. 881; 1997, c. 587.

CLG Standard of Review for Annexations, taken from 15.2-3209

The Commission shall determine the necessity for and expediency of annexation, considering the best interests of the people of the county and the town, services to be rendered and needs of the people of the area proposed to be annexed, the best interests of the people in the remaining portion of the county and the best interests of the Commonwealth in promoting strong and viable units of government.

Related to the best interests of the people of the county and town, the Commission shall consider to the extent relevant:

1. The need for urban services in the area proposed for annexation, the level of services provided in the county or town, and the ability of such county town to provide services in the area sought to be annexed, including, but not limited to: sewage treatment, water, solid waste collection and disposal, public planning, subdivision regulation and zoning, crime prevention and detection, fire prevention and protection, public recreational facilities, library facilities, curbs, gutters, sidewalks, storm drains, street lighting, snow removal, and street maintenance;
2. The current relative level of services provided by the county and the town;
3. The efforts by the county and the town to comply with applicable state policies with respect to environmental protection, public planning, education, public transportation, housing, or other state service policies promulgated by the General Assembly;
4. The community of interest which may exist between the petitioner, the territory sought to be annexed and its citizens as well as the community of interest that exists between such area and its citizens and the county. The term "community of interest" may include, but not be limited to, the consideration of natural neighborhoods, natural and man-made

boundaries, and the similarity of needs of the people of the annexing area and the area sought to be annexed;

5. Any arbitrary prior refusal by the governing body of the petitioner or the county whose territory is sought to be annexed to enter into cooperative agreements providing for joint activities which would have benefited citizens of both localities; however, the Commission shall draw no adverse inference from joint activities undertaken and implemented pursuant to cooperative agreements of the parties. It is the purpose of this subdivision to encourage adjoining localities to enter into such cooperative agreements voluntarily, and without apprehension of prejudice;
6. The need for the town seeking to annex to expand its tax resources, including its real estate and personal property tax base;
7. The need for the town seeking to annex to obtain land for industrial or commercial use, together with the adverse effect on a county of the loss of areas suitable and developable for industrial or commercial uses;
8. The adverse effect of the loss of tax resources and public facilities on the ability of the county to provide service to the people in the remaining portion of the county; and
9. The adverse impact on agricultural operations in the area proposed for annexation.

**Report on Proffered
Cash Payments and Expenditures
By Virginia's Counties, Cities and Towns
2021-2022**



**Commission on Local Government
Commonwealth of Virginia**

November 2022

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Policy and Legislative Director

Kristen Dahlman

CLG Staff for this Report

Chase Sawyer, Senior Policy Analyst

This report is available on the Commission's website at
<https://www.dhcd.virginia.gov/clg>

Main Street Centre
600 E. Main Street, Suite 300
Richmond, Virginia 23219

**REPORT OF THE COMMISSION ON LOCAL GOVERNMENT
DISCLOSURE OF PROFFERED CASH PAYMENTS AND EXPENDITURES
2021 – 2022**

INTRODUCTION

Section 15.2-2296 of the Code of Virginia authorizes governing bodies to accept proffers through conditional zoning. Localities under §15.2-2296 through §15.2-2300 have been authorized to accept proffers, and the number of localities authorized to collect proffers as a form of conditional zoning has expanded over the years. A proffer is a voluntary offer from a property owner as implied by §15.2-2296 Code of Virginia and can be an act, donation of money, a product, or services¹ that limit or qualify how the property subject to the conditions will be used or developed. These conditions are in addition to the general, uniform regulations otherwise applicable to land within the same zoning district. Upon approval by the local governing body, the conditions become part of the rezoning and pass with the ownership of the property.² Cash proffers are a form of conditional zoning that are generally used to offset the impacts of a particular development by providing funding for new roads, schools, or other public facilities and services. Cash proffers can be used for onsite or offsite improvements to offset impacts from a new commercial or residential development.³

In 2016, the Virginia General Assembly passed new legislation addressing residential developments and cash proffers; stipulating that onsite or offsite proffers must be specifically attributable to a proposed new residential development and must directly address an impact to an offsite facility. A voluntary cash proffer is considered unreasonable unless the residential development created a need for one or more public facility improvements and the new development would receive a direct benefit from those improvements. Localities are only allowed to accept cash proffers for roads, schools, public safety or parks and recreation that would need improvements or a brand new facility as a direct impact of a new residential development. This limits how cash proffers can be used for residential developments in the future, however; localities can still expend cash proffers for commercial developments for 11 different types of uses as listed under §15.2-2303.2 Code of Virginia if the proffers were collected prior to 2016.⁴

Section 15.2-2297 of the Code of Virginia stipulates that a zoning ordinance may include and provide for the voluntary proffering in writing, by the owner, of reasonable conditions, prior to a public hearing before the governing body, in addition to regulations provided for in the zoning district or zone by the ordinance, as part of a rezoning or amendment to a zoning map. Furthermore, (1) the rezoning itself must give rise for the need for the conditions; (2) the conditions shall have a reasonable relation to the rezoning; (3) the conditions shall not include a cash contribution to the locality; (4) the conditions shall not include mandatory dedication of real or personal property for open space, parks, schools, fire departments or other public facilities not otherwise provided for in 15.2-2241; (5) the conditions shall not include a requirement that the applicant create a property owners association under Chapter 18 (§55.1-1800 et seq.) of Title 55.1 which includes an express

¹ Kamptner, Greg, *The Albemarle County Land Use Law Handbook*.(June 2017) Chapter 11, Page 11-1

² Virginia Citizens Planning Association and the Virginia Department of Housing and Community Development, *The Language of Planning*, Community Planning Series, V (June, 1986), p. 10.

³ John H. Foote, "Planning and Zoning," *Handbook of Virginia Local Government Law*, ed. by Susan Warriner Custer, 2001 Edition, pp. 1-11 – 1-14.

⁴ Appendix A

further condition that members of a property owners association pay an assessment for the maintenance of public facilities not otherwise provided for in 15.2-2241; however such facilities shall not include sidewalks, special street signs or markers, or special street lighting in public rights-of-way not maintained by the Department of Transportation; (6) the conditions shall not include payment for or construction of off-site improvements except those provided for in 15.2-2241; (7) no condition shall be proffered that is not related to the physical development or physical operation of property; and (8) all such conditions shall be in conformity with the comprehensive plan as defined in 15.2-2223.

Section 15.2-2303.2 of the Code of Virginia directs the Commission on Local Government to annually collect data concerning local government revenues and expenditures resulting from the acceptance of voluntarily proffered cash payments. These cash proffers comprise either (1) the aggregate dollar amount of proffered cash payments collected by the locality; (2) the estimated aggregate dollar amount of proffered cash payments that have been pledged to the locality and which pledges are not conditioned on any event other than time; and (3) the total dollar amount of proffered cash payments expended by the locality in each of the following categories: schools, roads and other transportation improvements, fire and rescue/public safety, libraries, parks, recreation, and open space, water and sewer service extension, community centers, stormwater management, special needs housing, affordable housing, and miscellaneous.

Although the Code of Virginia has authorized every jurisdiction to use some form of conditional zoning since 1987, only localities meeting specific criteria may accept cash proffers. The table below shows the statutory authority for and categories of localities eligible to accept cash proffers. On the basis of these criteria and decennial census data from the United States Bureau of the Census, a total of 162 Virginia localities (49 counties, 27 cities, and 86 towns) were eligible to accept cash proffers during FY2022.⁵ This is a decrease from 245 localities (75 counties, 34 cities, and 136 towns) that were eligible to accept cash proffers during FY2021. As a result of the latest decennial census and pursuant to Section 15.2-2298 of the Code of Virginia, 10 towns gained the authority to accept cash proffers and 92 localities (26 counties, 7 cities, and 59 towns) lost the authority to accept cash proffers. Additionally, Chapter 90 of the 2022 Acts of Assembly terminated the town charter of the Town of St. Charles, which was eligible to accept cash proffers during FY2021. Appendix B includes a list of the localities that gained and lost the authority to collect cash proffers in FY2022.

⁵ U.S. Department of Commerce, Bureau of the Census, 1990 Census of Population, Number of Inhabitants, Table 4; U.S. Department of Commerce, Bureau of the Census, 2000 Census of Population and Housing, Summary File 1 (SF 1) 100-Percent Data; U.S. Department of Commerce, Bureau of the Census, 2010 Census Redistricting Data (Public Law 94-171) Summary File; U.S. Department of Commerce, Bureau of the Census, 2020 Census Redistricting Data (Public Law 94-171) Summary File. Sec. 1-235, Code of Va. states that unless otherwise specified, unadjusted population statistics are to be used in determining the decennial growth rate. See Appendix B for the list of Virginia localities with statutory authority to accept cash proffers.

| Statutory Authority | Types of Localities Eligible to Accept Cash Proffers |
|---------------------|--|
| §15.2-2298 | <p>With the exception of localities eligible under the terms of § 15.2-2303:</p> <ul style="list-style-type: none"> • Any locality with a decennial census growth rate $\geq 5\%$; • Any city adjoining another city or county which had a decennial census growth rate $\geq 5\%$; • Any towns located within a county which had a decennial census growth rate $\geq 5\%$; • Any county contiguous with at least three counties which had a decennial census growth rate $\geq 5\%$; and • Any towns located within a county which was contiguous with at least three counties which had a decennial census growth rate $\geq 5\%$. |
| §15.2-2303 | <ul style="list-style-type: none"> • Any county with an urban county executive form of government (i.e., Fairfax County); • Any town within a county with an urban county executive form of government; • Any city adjacent to or completely surrounded by a county with an urban county executive form of government; • Any county contiguous to a county with an urban county executive form of government; • Any city adjacent to or completely surrounded by a county contiguous to a county with an urban county executive form of government; • Any town within a county contiguous to a county with an urban county executive form of government; and • Any county east of the Chesapeake Bay. |
| §15.2-2303.1 | <ul style="list-style-type: none"> • New Kent County. |

SURVEY ON THE USE OF PROFFERED CASH PAYMENTS

Section 15.2-2303.2 of the Code of Virginia requires localities with populations greater than 3,500 that are eligible to accept voluntary cash proffer payments to submit a report of cash proffer activity to the Commission within three months of the close of each fiscal year. In July of 2022, Commission staff sent by electronic mail a survey⁶ to the chief administrative officers of the localities that were required to report their acceptance of cash proffers during FY 2022. Each locality was requested to complete the survey by August 30, 2022. In September, additional follow up was made to the jurisdictions that had not responded to the initial request.

The survey revealed that 38 localities (29 counties, 5 cities, and 3 towns) reported cash proffer activity during FY2022. In FY2021, 30 localities reported cash proffer activity, an increase of eight localities over the past year. During the current period, the aggregate amount of cash proffers collected and expended by those jurisdictions was \$114,099,921 and \$44,503,789, respectively. Cash proffer collections increased by 12.5% from FY2021, and expenditures decreased by 56.9%.

The survey results revealed that the majority of cash proffers expended for FY2022 were for roads and other transportation improvements (45%), parks, recreation, and open space (19.6%), and schools (17.2%). These top three categories for expenditures are compliant with section §15.2-2303.4 of the Code of Virginia, which allows cash proffers to be proffered and expended towards schools, public safety, parks and recreation, or roads and other transportation improvements. A chart depicting the allocation of expenditures to various improvement categories is provided on the next page. The chart still depicts the 11 categories authorized for cash proffers as seen in §15.2-2303.2 Code of Virginia due to code provisions that allow localities to hold cash proffers for up to twelve years before they need to be expended.⁷ Localities must start the process however (engineering, site construction, etc.) if they are to hold onto the proffered cash payments for up to 12 years. In addition, localities can still collect cash proffers for any of the categories listed in §15.2-2303.2 Code of Virginia for commercial developments.⁸

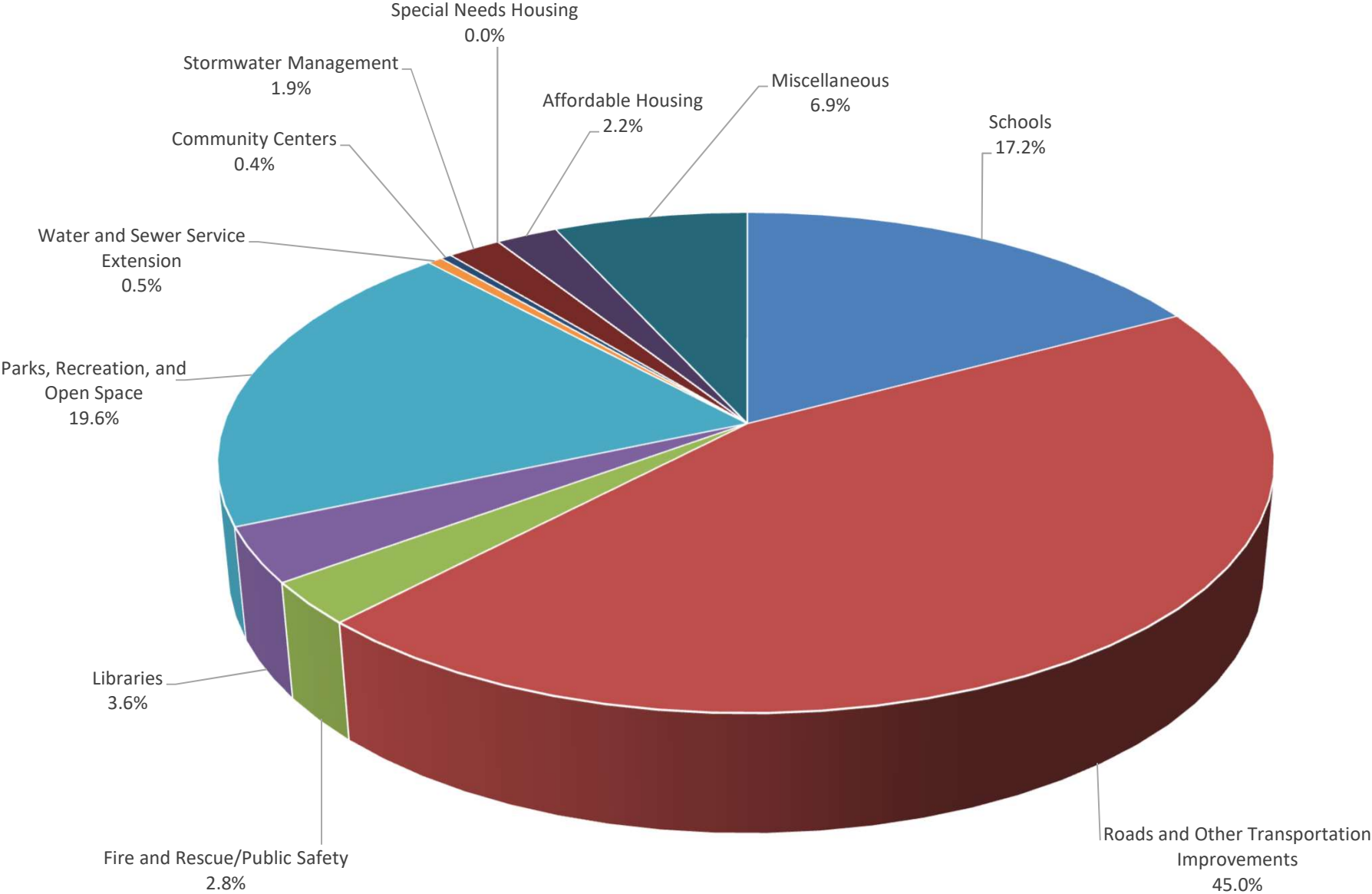
All responses from the FY2022 survey for individual local governments' cash proffer activity are reported in Appendix D. Appendix E includes a chart of the cash proffer revenues and expenditures for all localities for each fiscal year from FY 2000 through present.

⁶ Appendix C contains a copy of the electronic survey instrument. In 2003, the General Assembly enacted HB 2600, which changed the scope of the Commission's survey on the acceptance of cash proffers. The legislature exempted localities with a resident population of less than 3,500 from the reporting requirement. Because of that provision, only 22 of the 86 eligible towns must report on their acceptance of cash proffers.

⁷ § 15.2-2303.2 section A of the Code of Virginia

⁸ Appendix A

Proffered Funds Expended by Category of Use, FY2022



APPENDIX A

Section 15.2-2303.2, Code of Virginia

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§ 15.2-2303.2. Proffered cash payments and expenditures.

A. The governing body of any locality accepting cash payments voluntarily proffered on or after July 1, 2005, pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 shall, within 12 years of receiving full payment of all cash proffered pursuant to an approved rezoning application, begin, or cause to begin (i) construction, (ii) site work, (iii) engineering, (iv) right-of-way acquisition, (v) surveying, or (vi) utility relocation on the improvements for which the cash payments were proffered. A locality that does not comply with the above requirement, or does not begin alternative improvements as provided for in subsection C, shall forward the amount of the proffered cash payments to the Commonwealth Transportation Board no later than December 31 following the fiscal year in which such forfeiture occurred for direct allocation to the secondary system construction program or the urban system construction program for the locality in which the proffered cash payments were collected. The funds to which any locality may be entitled under the provisions of Title 33.2 for construction, improvement, or maintenance of primary, secondary, or urban roads shall not be diminished by reason of any funds remitted pursuant to this subsection by such locality, regardless of whether such contributions are matched by state or federal funds.

B. The governing body of any locality eligible to accept any proffered cash payments pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 shall, for each fiscal year beginning with the fiscal year 2007, (i) include in its capital improvement program created pursuant to § 15.2-2239, or as an appendix thereto, the amount of all proffered cash payments received during the most recent fiscal year for which a report has been filed pursuant to subsection E, and (ii) include in its annual capital budget the amount of proffered cash payments projected to be used for expenditures or appropriated for capital improvements in the ensuing year.

C. Regardless of the date of rezoning approval, unless prohibited by the proffer agreement accepted by the governing body of a locality pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1, a locality may utilize any cash payments proffered for any road improvement or any transportation improvement that is incorporated into the capital improvements program as its matching contribution under § 33.2-357. For purposes of this section, "road improvement" includes construction of new roads or improvement or expansion of existing roads as required by applicable construction standards of the Virginia Department of Transportation to meet increased demand attributable to new development. For purposes of this section, "transportation improvement" means any real or personal property acquired, constructed, improved, or used for constructing, improving, or operating any (i) public mass transit system or (ii) highway, or portion or interchange thereof, including parking facilities located within a district created pursuant to this title. Such improvements shall include, without limitation, public mass transit systems, public highways, and all buildings, structures, approaches, and facilities thereof and appurtenances thereto, rights-of-way, bridges, tunnels, stations, terminals, and all related equipment and fixtures.

Regardless of the date of rezoning approval, unless prohibited by the proffer agreement accepted by the governing body of a locality pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1, a locality may utilize any cash payments proffered for capital improvements for alternative improvements of the same category within the locality in the vicinity of the improvements for which the cash payments were originally made. Prior to utilization of such cash payments for the alternative improvements, the governing body of the locality shall give at least 30 days' written notice of the proposed alternative improvements to the entity who paid such cash payment mailed to the last known address of such

entity, or if proffer payment records no longer exist, then to the original zoning applicant, and conduct a public hearing on such proposal advertised as provided in subsection F of § 15.2-1427. The governing body of the locality prior to the use of such cash payments for alternative improvements shall, following such public hearing, find: (a) the improvements for which the cash payments were proffered cannot occur in a timely manner or the functional purpose for which the cash payment was made no longer exists; (b) the alternative improvements are within the vicinity of the proposed improvements for which the cash payments were proffered; and (c) the alternative improvements are in the public interest. Notwithstanding the provisions of the Virginia Public Procurement Act, the governing body may negotiate and award a contract without competition to an entity that is constructing road improvements pursuant to a proffered zoning condition or special exception condition in order to expand the scope of the road improvements by utilizing cash proffers of others or other available locally generated funds. The local governing body shall adopt a resolution stating the basis for awarding the construction contract to extend the scope of the road improvements. All road improvements to be included in the state primary or secondary system of highways must conform to the adopted standards of the Virginia Department of Transportation.

D. Notwithstanding any provision of this section or any other provision of law, general or special, no cash payment proffered pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 shall be used for any capital improvement to an existing facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility or for any operating expense of any existing facility such as ordinary maintenance or repair.

E. The governing body of any locality with a population in excess of 3,500 persons accepting a cash payment voluntarily proffered pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 shall within three months of the close of each fiscal year, beginning in fiscal year 2002 and for each fiscal year thereafter, report to the Commission on Local Government the following information for the preceding fiscal year:

1. The aggregate dollar amount of proffered cash payments collected by the locality;
2. The estimated aggregate dollar amount of proffered cash payments that have been pledged to the locality and which pledges are not conditioned on any event other than time; and
3. The total dollar amount of proffered cash payments expended by the locality, and the aggregate dollar amount expended in each of the following categories:

| | |
|--|----------|
| Schools | \$ _____ |
| Road and other Transportation Improvements | \$ _____ |
| Fire and Rescue/Public Safety | \$ _____ |
| Libraries | \$ _____ |
| Parks, Recreation, and Open Space | \$ _____ |
| Water and Sewer Service Extension | \$ _____ |
| Community Centers | \$ _____ |
| Stormwater Management | \$ _____ |
| Special Needs Housing | \$ _____ |
| Affordable Housing | \$ _____ |
| Miscellaneous | \$ _____ |
| Total dollar amount expended | \$ _____ |

F. The governing body of any locality with a population in excess of 3,500 persons eligible to accept any proffered cash payments pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 but that did not accept any proffered cash payments during the preceding fiscal year shall within three months of the close of each fiscal year, beginning in 2001 and for each fiscal year thereafter, so notify the Commission on Local Government.

G. The Commission on Local Government shall by November 30, 2001, and by November 30 of each fiscal year thereafter, prepare and make available to the public and the chairmen of the Senate Local Government Committee and the House Counties, Cities and Towns Committee an annual report containing the information made available to it pursuant to subsections E and F.

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APPENDIX B

**Localities Eligible by Statute to Accept
Proffered Cash Payments**

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**Principal Reason Eligible
to Accept Cash Proffers**

| CITIES | 2000 | 2010 | 2020 |
|---------------------|-------------|-------------|-------------|
| Alexandria | IIC | IIC | IIC |
| Bristol | IB | IB | |
| Buena Vista | IB | IB | |
| Charlottesville | IA | IB | IA |
| Chesapeake | IA | IA | IA |
| Colonial Heights | IA | IB | IB |
| Covington | | IB | |
| Danville | IB | | |
| Emporia | IA | IB | |
| Fairfax | IIC | IIC | IIC |
| Falls Church | IIC | IIC | IIC |
| Franklin | IA | IB | IB |
| Fredericksburg | IB | IA | IA |
| Galax | IB | | |
| Hampton | IA | IB | IB |
| Harrisonburg | IA | IA | IA |
| Hopewell | IB | IB | IB |
| Lexington | IB | IB | |
| Lynchburg | IB | IA | IB |
| Manassas | IIE | IIE | IIE |
| Manassas Park | IIE | IIE | IIE |
| <i>Martinsville</i> | | | |
| Newport News | IA | IB | IB |
| Norfolk | IB | IB | IB |
| <i>Norton</i> | | | |
| Petersburg | IB | IB | IB |
| Poquoson | IA | IA | IB |
| Portsmouth | IB | IB | IB |
| Radford | IB | IB | IB |
| Richmond | IB | IB | IA |
| Roanoke | IB | IB | |
| Salem | IB | IB | |
| Staunton | IB | IB | IA |
| Suffolk | IA | IA | IA |
| Virginia Beach | IA | IB | IB |
| Waynesboro | IA | IA | IA |
| Williamsburg | IB | IA | IA |
| Winchester | IA | IA | IA |

| COUNTIES | 2000 | 2010 | 2020 |
|-----------------|-------------|-------------|-------------|
| Accomack | IIG | IIG | IIG |
| Albemarle | IA | IA | IA |
| Alleghany | ID | IA | |
| Amelia | IA | IA | |
| Amherst | IA | ID | |

**Principal Reason Eligible
to Accept Cash Proffers**

| COUNTIES (Cont'd) | 2000 | 2010 | 2020 |
|--------------------------|-------------|-------------|-------------|
| Appomattox | IA | IA | IA |
| Arlington | IID | IID | IID |
| Augusta | IA | IA | IA |
| Bath | IA | ID | |
| Bedford | IA | IA | IA |
| Bland | IA | | |
| Botetourt | IA | IA | |
| Brunswick | IA | | |
| <i>Buchanan</i> | | | |
| Buckingham | IA | IA | ID |
| Campbell | IA | IA | |
| Caroline | IA | IA | IA |
| Carroll | IA | | |
| Charles City | IA | ID | ID |
| Charlotte | IA | ID | |
| Chesterfield | IA | IA | IA |
| Clarke | ID | IA | IA |
| Craig | IA | ID | |
| Culpeper | IA | IA | IA |
| Cumberland | IA | IA | ID |
| <i>Dickenson</i> | | | |
| Dinwiddie | IA | IA | |
| Essex | IA | IA | ID |
| Fairfax | IIA | IIA | IIA |
| Fauquier | IA | IA | IA |
| Floyd | IA | IA | |
| Fluvanna | IA | IA | IA |
| Franklin | IA | IA | |
| Frederick | IA | IA | IA |
| Giles | ID | | |
| Gloucester | IA | IA | IA |
| Goochland | IA | IA | IA |
| Grayson | IA | | |
| Greene | IA | IA | IA |
| Greensville | IA | IA | |
| Halifax | IA | | |
| Hanover | IA | IA | IA |
| Henrico | IA | IA | IA |
| Henry | ID | | |
| <i>Highland</i> | * | | |
| Isle of Wight | IA | IA | IA |
| James City | IA | IA | IA |
| King and Queen | IA | ID | ID |
| King George | IA | IA | IA |
| King William | IA | IA | IA |

**Principal Reason Eligible
to Accept Cash Proffers**

| COUNTIES (Cont'd) | 2000 | 2010 | 2020 |
|--------------------------|-------------|-------------|-------------|
| Lancaster | IA | ID | |
| Lee | | IA | |
| Loudoun | IID | IID | IID |
| Louisa | IA | IA | IA |
| Lunenburg | IA | | |
| Madison | ID | IA | ID |
| Mathews | IA | | |
| Mecklenburg | IA | | |
| Middlesex | IA | IA | |
| Montgomery | IA | IA | IA |
| Nelson | IA | ID | ID |
| New Kent | IIIA | IIIA | IIIA |
| Northampton | IIG | IIG | IIG |
| Northumberland | IA | | |
| Nottoway | ID | ID | |
| Orange | IA | IA | IA |
| Page | IA | ID | ID |
| Patrick | IA | | |
| Pittsylvania | IA | ID | |
| Powhatan | IA | IA | IA |
| Prince Edward | IA | IA | |
| Prince George | IA | IA | IA |
| Prince William | IID | IID | IID |
| Pulaski | ID | ID | |
| Rappahannock | IA | IA | ID |
| Richmond | IA | IA | |
| Roanoke | IA | IA | |
| Rockbridge | IA | IA | |
| Rockingham | IA | IA | IA |
| Russell | IA | | |
| <i>Scott</i> | | | |
| Shenandoah | IA | IA | IA |
| Smyth | ID | | |
| Southampton | ID | IA | |
| Spotsylvania | IA | IA | IA |
| Stafford | IA | IA | IA |
| Surry | IA | ID | ID |
| Sussex | IA | ID | |
| <i>Tazewell</i> | | | |
| Warren | IA | IA | IA |
| Washington | IA | IA | |
| Westmoreland | IA | ID | IA |
| <i>Wise</i> | | | |
| Wythe | IA | IA | |
| York | IA | IA | IA |

**Principal Reason Eligible
to Accept Cash Proffers**

| TOWNS | 2000 | 2010 | 2020 |
|-----------------------|-------------|-------------|-------------|
| Abingdon | IA | IA | |
| Accomac | * | IA | |
| Alberta | * | IC | |
| Altavista | * | IC | IC |
| Amherst | * | IA | ID |
| <i>Appalachia</i> | * | | |
| Appomattox | * | IC | IC IA |
| Ashland | | IA | IA IC |
| Bedford | | IB | IB IA |
| Belle Haven | * | | IA |
| Berryville | | ID | IA IA |
| Big Stone Gap | | | IA |
| Blacksburg | | IA | IA IA |
| Blackstone | * | IA | ID |
| Bloxom | * | IA | |
| Bluefield | | | IA |
| Boones Mill | * | IA | IC IA |
| Bowling Green | * | IA | IA IA |
| Boyce | * | ID | IA IA |
| Boydton | * | IC | |
| Boykins | * | ID | IC |
| Branchville | * | IA | IC |
| Bridgewater | | IA | IA IA |
| Broadway | | IA | IA IA |
| Brodnax | * | IC | |
| Brookneal | * | IC | IC |
| Buchanan | * | IC | IC |
| Burkeville | * | ID | ID |
| Cape Charles | * | | IA |
| Capron | * | IA | IC |
| <i>Cedar Bluff</i> | * | | |
| Charlotte Court House | * | IC | IA |
| Chase City | * | IC | |
| Chatham | * | IC | ID |
| <i>Cheriton</i> | * | | |
| Chilhowie | * | ID | |
| Chincoteague | * | IA | IA |
| Christiansburg | | IA | IA IA |
| Claremont | * | IC | IA ID |
| Clarksville | * | IA | IA |
| Cleveland | * | IC | IA |
| Clifton | * | IIB | IIB IIB |
| Clifton Forge | | ID | IC |
| <i>Clinchco</i> | * | | |
| Clinchport | * | IA | |

**Principal Reason Eligible
to Accept Cash Proffers**

| TOWNS (Cont'd) | 2000 | 2010 | 2020 |
|-----------------------|-------------|-------------|-------------|
| <i>Clintwood</i> | * | | |
| Coeburn | * | IA | |
| Colonial Beach | IC | IA | IA |
| Courtland | * IA | IC | |
| Craigsville | * IA | IC | IC |
| Crewe | * ID | ID | |
| Culpeper | IA | IA | IA |
| Damascus | * IA | IC | |
| Dayton | * IA | IA | IA |
| Dendron | * IC | ID | ID |
| Dillwyn | * IC | IC | ID |
| Drakes Branch | * IC | IA | |
| Dublin | * IA | IA | IA |
| Duffield | * IA | IA | |
| Dumfries | IIF | IIF | IIF |
| Dungannon | * IA | | |
| Eastville | * IA | IA | |
| Edinburg | * IC | IA | IA |
| Elkton | * IA | IA | IA |
| Exmore | * | IA | |
| Farmville | IA | IA | ID |
| Fincastle | * IA | IC | IA |
| Floyd | * IA | IC | IA |
| Fries | * IC | | |
| Front Royal | IA | IA | IC |
| <i>Gate City</i> | * | | |
| Glade Spring | * IC | IA | |
| Glasgow | * IC | IA | |
| Glen Lyn | * ID | | |
| Gordonsville | * IA | IC | IC |
| Goshen | * IA | IC | |
| Gretna | * IC | ID | |
| Grottoes | * IA | IA | IA |
| <i>Grundy</i> | * | | |
| Halifax | * IA | | |
| Hallwood | * IA | | |
| Hamilton | * IIF | IIF | IIF |
| Haymarket | * IIF | IIF | IIF |
| Haysi | * | IA | |
| Herndon | IIB | IIB | IIB |
| Hillsboro | * IIF | IIF | IIF |
| Hillsville | * IA | | IA |
| Honaker | * IC | IA | |
| Hurt | * IC | ID | |
| Independence | * IC | | IA |

**Principal Reason Eligible
to Accept Cash Proffers**

| TOWNS (Cont'd) | 2000 | 2010 | 2020 |
|-----------------------|-------------|-------------|-------------|
| Iron Gate | * ID | IC | |
| Irvington | * IA | ID | IA |
| Ivor | * ID | IA | |
| Jarratt | * IA | IA | |
| Jonesville | * IA | IC | |
| <i>Keller</i> | * | | |
| Kenbridge | * IC | | |
| Keysville | * IA | ID | |
| Kilmarnock | * IA | IA | |
| La Crosse | * IA | | |
| Lawrenceville | * IC | IA | |
| Lebanon | * IC | | |
| Leesburg | IIF | IIF | IIF |
| Louisa | * IA | IA | IA |
| Lovettsville | * IIF | IIF | IIF |
| Luray | IA | ID | ID |
| Madison | * ID | IA | ID |
| Marion | ID | | |
| McKenney | * IA | IA | |
| Melfa | * IA | | |
| Middleburg | * IIF | IIF | IIF |
| Middletown | * IC | IA | IA |
| Mineral | * IC | IA | IC |
| Monterey | * | | IA |
| Montross | * IC | IA | IC |
| Mount Crawford | * IA | IA | IC |
| Mount Jackson | * IA | IA | IC |
| Narrows | * ID | | |
| Nassawadox | * | | IA |
| New Castle | * IA | ID | |
| New Market | * IA | IA | IC |
| Newsoms | * ID | IA | |
| Nickelsville | * IA | | |
| Occoquan | * IIF | IIF | IIF |
| Onancock | * IA | | |
| <i>Onley</i> | * | | |
| Orange | IA | IA | IC |
| Painter | * | | IA |
| Pamplin City | * IC | IA | IC |
| Parksley | * IA | | |
| Pearisburg | * IA | | |
| Pembroke | * IA | | |
| Pennington Gap | * | IC | |
| Phenix | * IC | IA | |
| <i>Pocahontas</i> | * | | |

**Principal Reason Eligible
to Accept Cash Proffers**

| TOWNS (Cont'd) | | 2000 | 2010 | 2020 |
|-----------------------|---|-------------|-------------|-------------|
| Port Royal | * | IC | IC | IA |
| Pound | * | IA | | |
| Pulaski | | ID | ID | |
| Purcellville | | IIF | IIF | IIF |
| Quantico | * | IIF | IIF | IIF |
| Remington | * | IA | IC | IC |
| Rich Creek | * | ID | IA | |
| Richlands | | | IA | |
| Ridgeway | * | ID | | |
| Rocky Mount | | IC | IA | |
| Round Hill | * | IIF | IIF | IIF |
| Rural Retreat | * | IA | IA | |
| Saltville | * | IC | IC | |
| <i>Saxis</i> | * | | | |
| Scottsburg | * | IC | | IA |
| Scottsville | * | IA | IC | IC |
| Shenandoah | * | IC | IA | ID |
| Smithfield | | IA | IA | IA |
| South Boston | | IA | | |
| South Hill | | IC | IA | |
| St. Paul | * | IC | | |
| Stanardsville | * | IA | IC | IC |
| Stanley | * | IA | IA | ID |
| Stephens City | * | IC | IA | IA |
| Stony Creek | * | IC | ID | IA |
| Strasburg | | IA | IA | IA |
| Stuart | * | IC | IA | |

**Principal Reason Eligible
to Accept Cash Proffers**

| TOWNS (Cont'd) | | 2000 | 2010 | 2020 |
|-----------------------|---|-------------|-------------|-------------|
| Surry | * | IA | ID | ID |
| Tangier | * | | IA | |
| Tappahannock | * | IA | IA | ID |
| Tazewell | | | IA | |
| The Plains | * | IA | IC | IA |
| Timberville | * | IA | IA | IA |
| Toms Brook | * | IA | IC | IA |
| Troutdale | * | IA | | |
| Troutville | * | IC | IC | IA |
| Urbanna | * | IC | IC | |
| Victoria | * | IC | | |
| Vienna | | IIB | IIB | IIB |
| Vinton | | IC | IC | |
| Virgilina | * | IC | | |
| Wachapreague | * | | | IA |
| Wakefield | * | IC | ID | |
| Warrenton | | IA | IA | IC |
| Warsaw | * | IA | IA | IA |
| Washington | * | IC | IC | ID |
| Waverly | * | IC | ID | |
| <i>Weber City</i> | * | | | |
| West Point | * | IC | IA | IC |
| White Stone | * | IC | ID | IA |
| Windsor | * | IC | IA | IC |
| <i>Wise</i> | * | | | |
| Woodstock | | IA | IA | IA |
| Wytheville | | IC | IA | |

See "Notes" at end for explanation of "Principal Reason Eligible to Accept Cash Proffers."

Italicized localities have never qualified to collect cash proffers.

Gained Authority to Accept Cash Proffers

**Principal Reason Eligible
to Accept Cash Proffers**

| TOWNS | 2000 | 2010 | 2020 |
|--------------|------|------|------|
| Cape Charles | * | | IA |
| Chincoteague | * | IA | IA |
| Clarksville | * | IA | IA |
| Hillsville | * | IA | IA |
| Independence | * | IC | IA |
| Monterey | * | | IA |
| Nassawadox | * | | IA |
| Painter | * | | IA |
| Scottsburg | * | IC | IA |
| Wachapreague | * | | IA |

Lost Authority to Accept Cash Proffers

**Principal Reason Eligible
to Accept Cash Proffers**

| CITIES | 2000 | 2010 | 2020 |
|-------------|------|------|------|
| Bristol | IB | IB | |
| Buena Vista | IB | IB | |
| Covington | | IB | |
| Emporia | IA | IB | |
| Lexington | IB | IB | |
| Roanoke | IB | IB | |
| Salem | IB | IB | |

| COUNTIES | 2000 | 2010 | 2020 |
|---------------|------|------|------|
| Alleghany | ID | IA | |
| Amelia | IA | IA | |
| Amherst | IA | ID | |
| Bath | IA | ID | |
| Botetourt | IA | IA | |
| Campbell | IA | IA | |
| Charlotte | IA | ID | |
| Craig | IA | ID | |
| Dinwiddie | IA | IA | |
| Floyd | IA | IA | |
| Franklin | IA | IA | |
| Greensville | IA | IA | |
| Lancaster | IA | ID | |
| Lee | | IA | |
| Middlesex | IA | IA | |
| Nottoway | ID | ID | |
| Pittsylvania | IA | ID | |
| Prince Edward | IA | IA | |

Lost Authority to Accept Cash Proffers

**Principal Reason Eligible
to Accept Cash Proffers**

| COUNTIES (Cont'd) | 2000 | 2010 | 2020 |
|-------------------|------|------|------|
| Pulaski | ID | ID | |
| Richmond | IA | IA | |
| Roanoke | IA | IA | |
| Rockbridge | IA | IA | |
| Southampton | ID | IA | |
| Sussex | IA | ID | |
| Washington | IA | IA | |
| Wythe | IA | IA | |

| TOWNS | 2000 | 2010 | 2020 |
|--------------------|------|------|------|
| Altavista | * | IC | IC |
| Amherst | * | IA | ID |
| Belle Haven | * | | IA |
| Big Stone Gap | | | IA |
| Blackstone | * | IA | ID |
| Bluefield | | | IA |
| Boykins | * | ID | IC |
| Branchville | * | IA | IC |
| Brookneal | * | IC | IC |
| Buchanan | * | IC | IC |
| Burkeville | * | ID | ID |
| Capron | * | IA | IC |
| Charlotte Court Hc | * | IC | IA |
| Chatham | * | IC | ID |
| Cleveland | * | IC | IA |
| Clifton Forge | | ID | IC |
| Coeburn | * | | IA |
| Courtland | * | IA | IC |
| Crewe | * | ID | ID |
| Damascus | * | IA | IC |
| Drakes Branch | * | IC | IA |
| Duffield | * | IA | IA |
| Eastville | * | IA | IA |
| Exmore | * | | IA |
| Glade Spring | * | IC | IA |
| Glasgow | * | IC | IA |
| Goshen | * | IA | IC |
| Gretna | * | IC | ID |
| Haysi | * | | IA |
| Honaker | * | IC | IA |
| Hurt | * | IC | ID |
| Iron Gate | * | ID | IC |
| Ivor | * | ID | IA |

Lost Authority to Accept Cash Proffers

Principal Reason Eligible to Accept Cash Proffers

| TOWNS (Cont'd) | | 2000 | 2010 | 2020 |
|-----------------------|---|-------------|-------------|-------------|
| Jarratt | * | IA | IA | |
| Jonesville | * | IA | IC | |
| Keysville | * | IA | ID | |
| Kilmarnock | * | IA | IA | |
| Lawrenceville | * | IC | IA | |
| McKenney | * | IA | IA | |
| New Castle | * | IA | ID | |
| Newsoms | * | ID | IA | |
| Pennington Gap | * | | IC | |
| Phenix | * | IC | IA | |
| Pulaski | | ID | ID | |
| Rich Creek | * | ID | IA | |
| Richlands | | | IA | |
| Rocky Mount | | IC | IA | |
| Rural Retreat | * | IA | IA | |
| Saltville | * | IC | IC | |
| South Hill | | IC | IA | |
| St. Charles | * | | IC | |
| Stuart | * | IC | IA | |
| Tangier | * | | IA | |
| Tazewell | | | IA | |
| Urbanna | * | IC | IC | |
| Vinton | | IC | IC | |
| Wakefield | * | IC | ID | |
| Waverly | * | IC | ID | |
| Wytheville | | IC | IA | |

NOTES:

* = Localities not required to report cash proffer activity. 2003 revisions to § 15.2-2303.2 limited the requirement for the reporting on the acceptance of proffered cash payments to only those localities with a population in excess of 3,500 persons. Thus, all eligible cities and counties and only 22 of the 86 eligible towns are required to report proffered cash payments.

Principal Reasons Eligible to Accept Cash Proffers

- I. Eligibility for acceptance of cash proffers under § 15.2-2298 (high-growth localities):
 - A. Any locality which had a decennial census growth rate of 5% or more;
 - B. Any city adjoining another city or county which had a decennial census growth rate of 5% or more;
 - C. Any towns located within a county which had a decennial census growth rate of 5% or more; and
 - D. Any county contiguous with at least three counties which had decennial census growth rate of 5% or more, and any town located in that county.

- II. Eligibility for acceptance of cash proffers under § 15.2-2303:
 - A. Any county with the urban county executive form of government (i.e. Fairfax County)
 - B. Any town within Fairfax County;
 - C. Any city adjacent to or completely surrounded by Fairfax County;
 - D. Any county contiguous to Fairfax County
 - E. Any city adjacent to or completely surrounded by a county contiguous to Fairfax County;
 - F. Any town within a county contiguous to Fairfax County; and
 - G. Any county east of the Chesapeake Bay

- III. Eligibility for acceptance of cash proffers under § 15.2-2303.1:
 - A. New Kent County

APPENDIX C

**Survey Instrument for
Local Government Revenues and Expenditures
Derived from Proffered Cash Payments
2021 – 2022**

DRAFT

Virginia Commission on Local Government: FY2022 Cash Proffer Survey

1. Please provide your contact information: *

Locality Name

Contact Name

Position/Title

Phone Number:

Email Address

2. Is your locality a City, County or Town? *

-- Please Select -- ▼

3. Did your locality accept cash proffers at any time during the 2021-2022 Fiscal Year?

If you answer "No" for the 2021-2022 Fiscal Year, additional information is not needed. *

A cash proffer is (i) any money voluntary proffered in a writing signed by the owner of property subject to rezoning, submitted as part of a rezoning application and accepted by a locality pursuant to the authority granted by Va. Code Ann. § [15.2-2303](#), or § [15.2-2298](#), or (ii) any payment of money made pursuant to a development agreement entered into under authority granted by Va. Code Ann. § [15.2-2303.1](#). This does NOT include cash contributions imposed through conditional/provisional/special use permits as authorized by § [15.2-2286](#) (A)(3).

-- Please Select -- ▼

Enter the total amount of cash proffer revenue collected by the locality during the 2021-2022 fiscal year:

This is the total dollar amount of revenue collected from cash proffers in the specified fiscal year regardless of the fiscal year in which the cash proffer was accepted. Unaudited figures are acceptable.

Enter the estimated amount of cash proffers pledged during the 2021-2022 fiscal year by which payment is conditioned only on time:

These are cash proffers conditioned only on time (i.e. linked to a specific date or specified time following rezoning approval but NOT an unknown date such as at the time of certificate of occupancy) approved by the locality as part of a rezoning case. Unaudited figures for the specified fiscal year are acceptable.

4. Enter the total amount of cash proffer revenue expended by the locality during the 2021-2022 fiscal year:

This is the total dollar amount of public projects expended with cash proffer revenue in the specified fiscal year. Unaudited figures are acceptable.

Indicate the purpose(s) and amount(s) (in whole numbers) for which the expenditures in the previous question were made: *

The Total amount at the bottom should equal the amount reported in the cash proffer revenue expended box above.

| | |
|----------------------|---|
| <input type="text"/> | Schools |
| <input type="text"/> | Roads and Other Transportation Improvements |
| <input type="text"/> | Fire and Rescue/Public Safety |
| <input type="text"/> | Libraries |
| <input type="text"/> | Parks, Recreation, and Open Space |
| <input type="text"/> | Water and Sewer Service Extension |
| <input type="text"/> | Community Centers |
| <input type="text"/> | Stormwater Management |
| <input type="text"/> | Special Needs Housing |
| <input type="text"/> | Affordable Housing |
| <input type="text"/> | Miscellaneous |

Total : \$0.00

5. Please share any additional comments regarding any unique circumstances surrounding the information you provided in this survey.

After hitting the "Submit" button a summary of your responses can be generated and printed for your records.

APPENDIX D

**Summary of Survey Responses from Localities
Accepting Proffered Cash Payments
2021 – 2022**

DRAFT

Appendix D
Summary of Survey Responses from Localities Accepting Proffered Cash Payments
Fiscal Year 2022

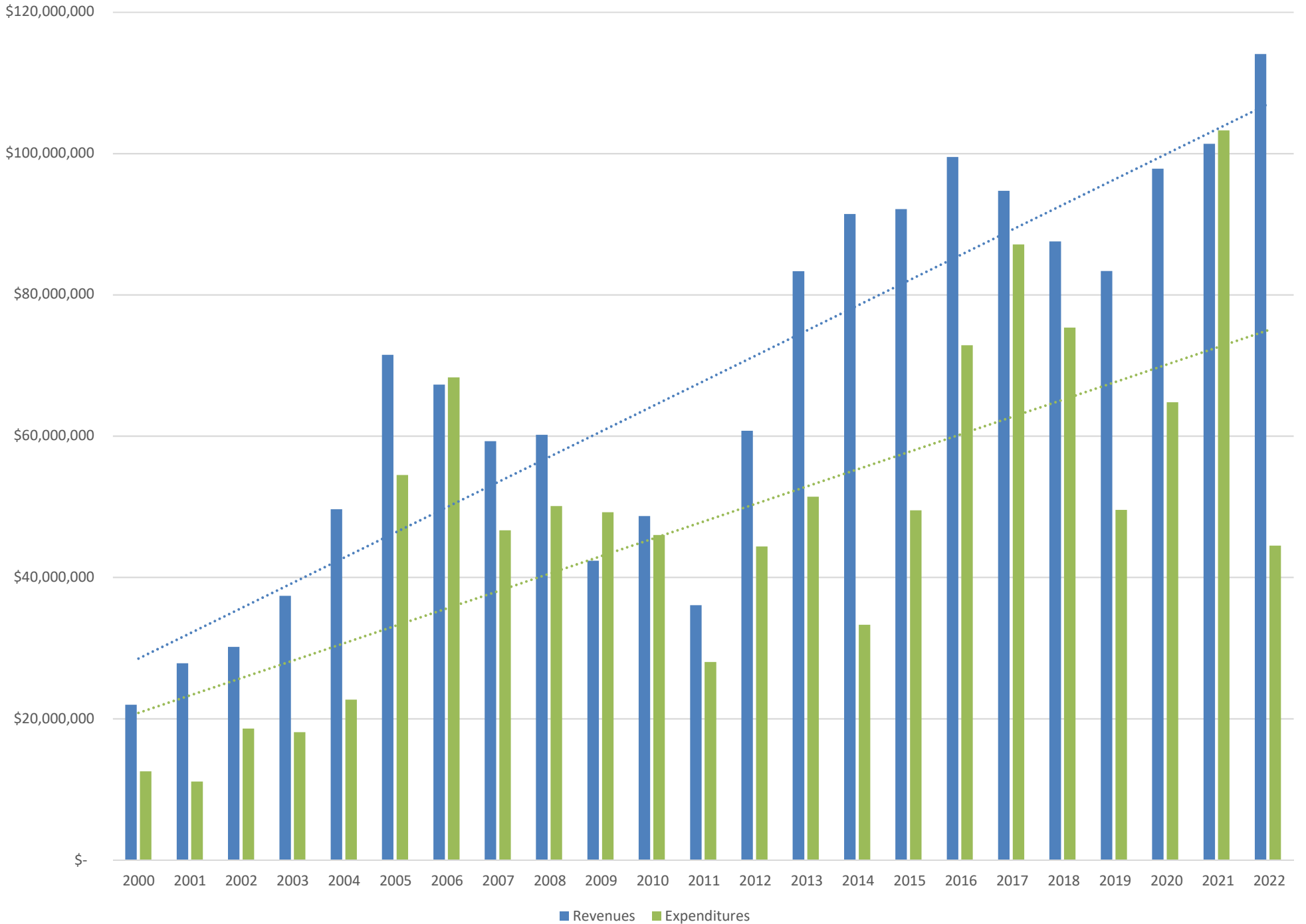
| Locality | Purpose and Amount for Cash Proffer Expenditures | | | | | | | | | | | | | |
|-----------------------|--|--|-------------------------------------|---------------------|---|-------------------------------|---------------------|-----------------------------------|-----------------------------------|-------------------|-----------------------|-----------------------|--------------------|---------------------|
| | Total Cash Proffer Revenue Collected | Total Pledged But Payment Conditioned Only on Time | Total Cash Proffer Revenue Expended | Schools | Roads and Other Transportation Improvements | Fire and Rescue/Public Safety | Libraries | Parks, Recreation, and Open Space | Water and Sewer Service Extension | Community Centers | Stormwater Management | Special Needs Housing | Affordable Housing | Miscellaneous |
| Albemarle | \$ 2,380,370 | \$ - | \$ 1,553,159 | \$ 950,090 | \$ 237,009 | \$ - | \$ - | \$ 280,000 | \$ - | \$ - | \$ - | \$ - | \$ 86,060 | \$ - |
| Amelia | \$ 53,386 | \$ 17,910 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Augusta | \$ 300,000 | \$ 300,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Caroline | \$ 446,684 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Chesterfield | \$ 4,077,841 | \$ - | \$ 3,008,681 | \$ - | \$ 2,737,324 | \$ 5,525 | \$ 501 | \$ 265,330 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Clarke | \$ 366,184 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Culpeper | \$ 53,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Dinwiddie | \$ 19,535 | \$ - | \$ 21,483 | \$ 15,378 | \$ - | \$ 1,672 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 4,433 |
| Fairfax (County) | \$ 35,783,187 | \$ - | \$ 14,748,665 | \$ 1,128,913 | \$ 11,046,816 | \$ 194,416 | \$ - | \$ 914,131 | \$ - | \$ - | \$ 731,904 | \$ - | \$ 732,483 | \$ - |
| Fauquier | \$ 417,405 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Frederick | \$ 3,180,460 | \$ - | \$ 704,764 | \$ - | \$ - | \$ 41,398 | \$ - | \$ 190,411 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 472,954 |
| Gloucester | \$ 5,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Goochland | \$ 2,226,120 | \$ 4,301,262 | \$ 1,676,640 | \$ 500,000 | \$ 896,640 | \$ - | \$ 280,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Greene | \$ 2,000 | \$ - | \$ 46,391 | \$ 46,391 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Hanover | \$ 1,601,841 | \$ - | \$ 695,554 | \$ - | \$ 695,554 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Isle of Wight | \$ 365,794 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| James City | \$ 833,894 | \$ - | \$ 833,894 | \$ 489,680 | \$ 5,776 | \$ 8,267 | \$ 2,222 | \$ 10,443 | \$ 153,347 | \$ 5,776 | \$ 1,374 | \$ - | \$ 157,009 | \$ - |
| King William | \$ 390,985 | \$ - | \$ 200,000 | \$ - | \$ - | \$ 192,319 | \$ - | \$ 7,681 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Loudoun | \$ 33,169,994 | \$ 203,472 | \$ 7,941,572 | \$ - | \$ 2,637,254 | \$ 308,240 | \$ 642,497 | \$ 4,180,158 | \$ - | \$ 169,176 | \$ - | \$ 4,247 | \$ - | \$ - |
| Louisa | \$ 46,082 | \$ - | \$ 46,082 | \$ - | \$ - | \$ 46,082 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Middlesex | \$ 989 | \$ 989 | \$ 989 | \$ - | \$ - | \$ 500 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 489 |
| New Kent | \$ 947,673 | \$ 522,350 | \$ 414,194 | \$ 44,479 | \$ - | \$ 369,715 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Prince George | \$ 20,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Prince William | \$ 16,452,014 | \$ - | \$ 3,007,766 | \$ - | \$ 300,000 | \$ - | \$ 486,147 | \$ 2,113,316 | \$ - | \$ - | \$ 108,303 | \$ - | \$ - | \$ - |
| Rockingham | \$ 38,500 | \$ - | \$ 70,000 | \$ 35,000 | \$ - | \$ 35,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Shenandoah | \$ 3,800 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Southampton | \$ 2,360 | \$ - | \$ 2,360 | \$ 1,742 | \$ - | \$ - | \$ 191 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 427 |
| Spotsylvania | \$ 1,213,543 | \$ - | \$ 581,576 | \$ - | \$ 428,950 | \$ 38,791 | \$ - | \$ 32,516 | \$ 78,006 | \$ - | \$ - | \$ - | \$ - | \$ 3,314 |
| Stafford | \$ 5,361,261 | \$ - | \$ 2,080,179 | \$ 1,780,487 | \$ 225,750 | \$ - | \$ - | \$ 73,942 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Total Counties | \$ 109,759,903 | \$ 5,345,983 | \$ 37,633,948 | \$ 4,992,160 | \$ 19,211,074 | \$ 1,241,924 | \$ 1,411,559 | \$ 8,067,929 | \$ 231,353 | \$ 174,952 | \$ 841,581 | \$ 4,247 | \$ 975,552 | \$ 481,617 |
| Chesapeake | \$ 2,177,093 | \$ - | \$ 459,520 | \$ - | \$ 282,665 | \$ - | \$ 176,856 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Fairfax (City) | \$ 340,750 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Fredericksburg | \$ 102,669 | \$ - | \$ 544,519 | \$ 320,000 | \$ 192,269 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 32,250 |
| Manassas | \$ 140,350 | \$ - | \$ 360,481 | \$ 62,905 | \$ 8,000 | \$ - | \$ - | \$ 289,575 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Manassas Park | \$ - | \$ - | \$ 319,984 | \$ - | \$ 319,984 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Suffolk | \$ 1,493,404 | \$ 835,123 | \$ 154,227 | \$ 154,227 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Total Cities | \$ 4,254,267 | \$ 835,123 | \$ 1,838,731 | \$ 537,132 | \$ 802,917 | \$ - | \$ 176,856 | \$ 289,575 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 32,250 |
| Herndon | \$ 7,500 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Leesburg | \$ 2,703 | \$ - | \$ 5,031,110 | \$ 2,108,819 | \$ - | \$ - | \$ - | \$ 381,873 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 2,540,417 |
| Luray | \$ 75,548 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Total Towns | \$ 85,751 | \$ - | \$ 5,031,110 | \$ 2,108,819 | \$ - | \$ - | \$ - | \$ 381,873 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 2,540,417 |
| GRAND TOTAL | \$ 114,099,921 | \$ 6,181,106 | \$ 44,503,789 | \$ 7,638,111 | \$ 20,013,991 | \$ 1,241,924 | \$ 1,588,414 | \$ 8,739,378 | \$ 231,353 | \$ 174,952 | \$ 841,581 | \$ 4,247 | \$ 975,552 | \$ 3,054,284 |

APPENDIX E

**Summary of Statewide Cash Proffer Revenues and Expenditures
FY 2000 through FY 2022**

DRAFT

Cash Proffer Revenues and Expenditures, FY2000 - FY2022





Glenn Youngkin
Governor

Caren Merrick
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Bryan W. Horn
Director

TO: Members of the Commission on Local Government
FROM: DHCD Staff
DATE: October 31st, 2022
SUBJECT: Proposed Regular Meeting Schedule

As required by § 15.2-2904, the Commission on Local Government is required to hold a meeting at least once every two months. Keeping with past Commission procedure, staff is proposing the following dates:

- Friday, January 6th
- Friday, March 10th
- Friday, May 5th - *virtual*
- Friday, July 7th
- Friday, September 8th
- Friday, November 3rd - *virtual*

The meetings generally fall on the first Friday of odd months. Staff has designated two meetings – the May 5th and November 3rd meeting - as potential “all virtual” meetings for Commission deliberation.

Please note the changed date to Friday, March 10th.

Please note that this list does NOT include any dates of special meetings, public hearings, or other meetings of the Commission. Those will be considered separately as needed.

