



The Virginia Chapter of the American Planning Association

ISSUE BRIEF

CLARIFYING VIRGINIA LAW TO ENSURE THE RIGHTS OF PROPERTY OWNERS WHILE PRESERVING GOVERNMENTAL AUTHORITY NECESSARY TO PROVIDE ESSENTIAL PUBLIC PURPOSES (RESPONSE TO KELO V. CITY OF NEW LONDON)

VAPA supports clarifying Virginia law to ensure that the rights of property owners are properly respected while preserving governmental condemnation authority necessary to provide essential public purposes such as safe drinking water, protection of public health, schools, parks and roads. It is also essential to ensure that governments have appropriate authority to avoid and abate blighted conditions through redevelopment.

VAPA agrees with VML and VACo in supporting the amendment of Virginia law to ensure that the rights of property owners continue to be respected while preserving the necessary powers of local government and governmental agencies to provide for public purposes such as schools, parks, roads and other purposes as set out in the Virginia code and to avoid and abate blighted conditions through redevelopment.

VAPA believes that eminent domain as currently provided for in Virginia law is generally adequate to enable local governments and their agencies to carry out redevelopment projects in order to avoid and abate blight. The General Assembly should not unduly restrict the ability of local governments to acquire property necessary to carry out their governmental functions that provide for the health, safety and welfare of our citizens.

MAKING GREAT COMMUNITIES HAPPEN:

VAPA will support state-level planning policies that make Virginia and its communities the best place to live, work and play. Sound planning offers a key to making Virginia the best place it can be for all Virginians. Every region requires planning that promotes good jobs in livable communities. Faster growing regions have the added need for planning that recognizes pressures that are unprecedented in Virginia's history. Good planning actively involves the people of a community in the process; it combines their input on what is "valuable" for a good community with the technical facts brought by professionals and scientists. Sound planning includes an understanding of the differences between technical and value judgments and blends both appropriately to recommend a direction that moves a community toward the best place it can be for its citizens.



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ADVOCATING FOR GREAT COMMUNITIES:

In our efforts to advocate for sound planning policies, regulations, and practice in Virginia, our diverse membership is available as a resource for information and expert testimony regarding planning practice in Virginia. Likewise, through our parent organization, APA, we can provide information regarding planning practice through the United States. VAPA is ready and willing to assist as needed.

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