
November 15, 2010

**Interim Report on the Progress of
Counties, Cities and Towns Toward
Designating UDAs**

Commission on Local Government

2010 UDA Amendments Added New Record-keeping and Reporting Requirements



- **HB 1071 and SB 420 addressed several provisions of the existing UDA statute relating to required densities, compliance deadlines, and other matters.**
- **These bills directed localities to provide the Commission on Local Government (CLG) with key documents addressing local compliance.**

2010 UDA Amendments Added New Record-keeping and Reporting Requirements



- **HB 1071 and SB 420 also required the CLG to report to the Governor and General Assembly on overall compliance with UDA requirements.**
- **The first complete report will not be issued until 2011.**
- **As part of its preparation for that report, the CLG determined to identify important baseline data via a survey of local governments.**

Survey Details



- **Sent to the chief administrator or highest elected official of each of Virginia's 324 counties, cities and towns.**
- **Response rates:**
 - **79 of 115 (68.7%) of localities required to designate a UDA responded**
 - **124 of 209 (59.3%) of those not mandated also responded**
 - **Overall response rate: 62.7 %**

Survey Details



- **Nine questions and eight response categories:**

- ***Mandated localities***

• Plan already amended	8.9%
• Intend to amend plan by 2011	25.3%
• Intend to amend plan by 2012	11.4%
• Plan already consistent	17.7%
• <u>Excluding inmate population</u>	3.8% Σ 67.1%
• Awaiting 2010 census report	10.1%
• Do not intend to amend plan	16.5%
• Other/Not applicable	6.3%

Survey Details



- **Nine questions and eight response categories:**

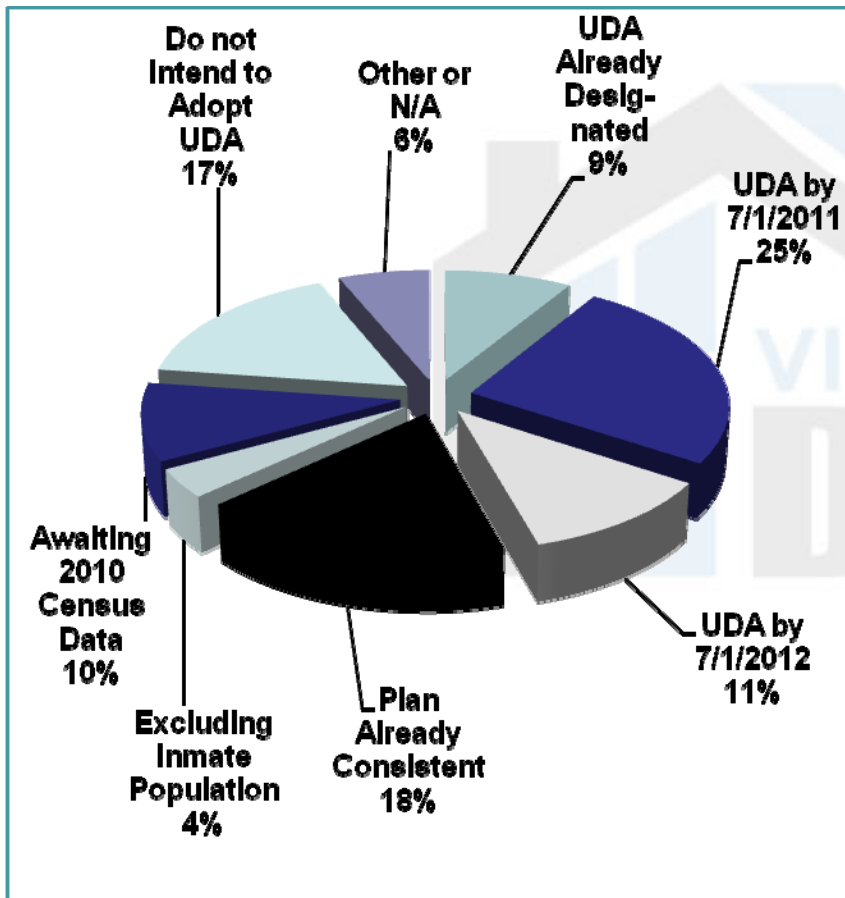
- ***Non-mandated localities***

• Plan already amended	3.2%
• Intend to amend plan by 2011	4.0%
• Intend to amend plan by 2012	0.0%
• Plan already consistent	8.1%
• <u>Excluding inmate population</u>	0.8% Σ 16.1%
• Awaiting 2010 census report	27.4%
• Do not intend to amend plan	41.9%
• Other	14.5%

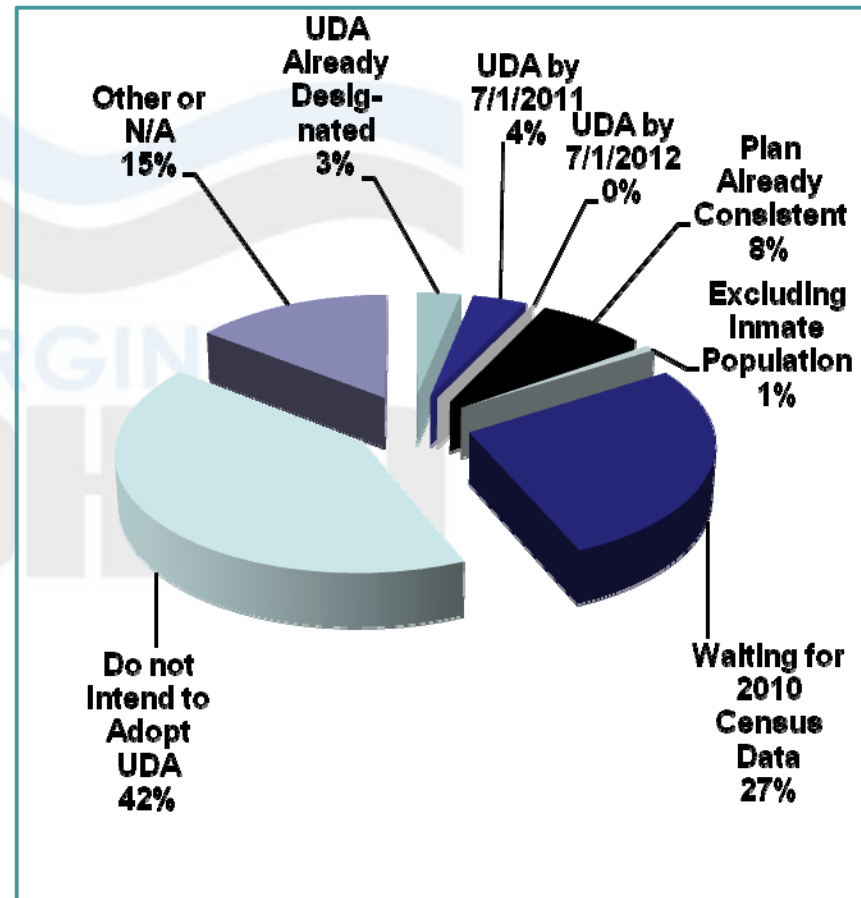
Survey Details



Mandated Localities



Non-Mandated Localities



Relationships of locality type, population, and fiscal stress to UDA designations



- **Comparing the survey results with other existing information about mandated localities provided CLG with an opportunity to identify the relationship between these factors and local progress in designating UDAs.**
- **There appeared to be distinctions among respondents based on:**
 - **County, city, or town status**
 - **Population category**
 - **Level of relative fiscal stress**

UDA Compliance by Local Government Type



Compliance Among Mandated Localities

Status	Counties	Cities	Towns
Already Compliant	6	1	0
Compliant by 2011	14	2	4
Compliant by 2012	6	2	1
Plan Is Consistent	10	3	1
Excluding Inmates	3	0	0
<i>Total</i>	<i>39</i>	<i>8</i>	<i>6</i>

Non Compliance Among Mandated Localities

Not Planning to Adopt UDA	1	0	12
Believes Not Applicable	0	1	2
<i>Total</i>	<i>1</i>	<i>1</i>	<i>14</i>

UDA Compliance by Local Government Type



- **Mandated counties and cities are more likely than towns to be in compliance or anticipate being in compliance within the existing statutory deadlines.¹**
- **Thirteen mandated localities indicated they did not expect to adopt UDAs within their comprehensive plans—12 of these are towns, ten with populations <3,500.**
- **Three localities (one city and two towns) incorrectly identified themselves as not meeting the statutory population criteria.**

¹Prince William County notified CLG of a change in its position subsequent to the preparation of this report.

UDA Compliance by Population Category - Mandated Localities



Category \ Population Class	≥ 130,000	20,000 – 129,999	5,000 – 19,999	< 5,000
Compliant	2	5	0	0
Compliant by 2011 or 2012	3	19	4	3
Plan Already Consistent	4	9	1	0
Excluding Inmates	0	0	3	0
Awaiting Census Results	0	1	1	6
Not planning to Adopt	0	0	3	10
Believes Not Applicable	0	0	1	2
Updating Plans	0	2	0	0
<i>Total</i>	9	36	13	21

UDA Compliance by Population Category - Mandated Localities



- **Larger localities generally indicated their current compliance or anticipate being in compliance within the existing statutory deadlines.¹**
- **Most localities with populations $\geq 20,000$ reported that they either comply with UDA requirements, have a plan consistent with UDA requirements, or will be compliant by the statutory deadlines.**
- **Localities $< 20,000$ are not as prepared to adopt UDAs. None have established them, eight indicate they have a plan consistent with UDA requirements or will be in compliance by 2011 or 2012.**

¹Prince William County notified CLG of a change in its position subsequent to the preparation of this report.

UDA Compliance by Population Category - Mandated Localities



- **Almost half of the smaller communities do not believe they are required to adopt a UDA.**
- **Several towns appeared unaware of their requirement to adopt UDAs.**
- **Nearly half indicated they do not intend to incorporate a UDA within the comprehensive plan. Several plan to await the 2010 census results before acting.**
- **Of the 46 towns currently required to adopt a UDA, 34 (74%) have populations < 3,500.**

UDA Compliance by Fiscal Stress Category - Mandated Localities (Excludes Towns)



Category \ Fiscal Stress Category	High Stress	Above Average Stress	Below Average Stress	Low Stress
Compliant	0	2	3	2
Compliant by 2011 or 2012	1	8	12	3
Plan Already Consistent	2	1	7	3
Excluding Inmates	1	2	0	0
Awaiting Census Results	0	1	0	0
Not planning to Adopt	0	1	0	0
Believes Not Applicable	0	1	0	0
Updating Plans	0	1	1	0
<i>Total</i>	4	17	23	8

UDA Compliance by Fiscal Stress Category - Mandated Counties and Cities



- **All low and below average fiscal stress localities indicated their current compliance or anticipate being in compliance within the existing statutory deadlines.¹**
- **Two-thirds of cities and counties with higher fiscal stress levels were compliant or anticipated being in compliance.**
- **Thirty-six percent of the 75 cities and counties with above average or high levels of fiscal stress are required to adopt one or more UDAs. Seventy-one percent of the 59 below average or low stress level localities are required to adopt UDAs.**

¹Prince William County notified CLG of a change in its position subsequent to the preparation of this report.

Overall Survey Results



- **More populous, less fiscally stressed counties and cities appear to have made or are making the most progress toward designating UDAs in accordance with current statutory requirements.**
- **Smaller, more fiscally stressed localities—especially towns—are less likely to have made significant progress on adopting UDAs into comprehensive plans.**
- **In some cases, the local government may even have been unaware that the legislation applied to it.**