



CAPABILITIES



5.0 Capabilities

The capability assessment is a way to quantify the ability of the communities and CVPDC to carry out actions that have been proposed in the hazard identification and risk assessment and the mitigation actions sections. Jurisdictions already have in place budgets, programs, plans, authorities, and staff to respond to events and help to lessen their impacts.

This section serves as a guide to the communities on their limitations in implementing mitigation actions identified in this Plan. Local capabilities serve as the foundation for designing an effective hazard mitigation plan and action items. It not only helps establish the goals and objectives, but also assures that those actions are realistically achievable. The jurisdictional assessment should detect any existing gaps, shortfalls, or weaknesses within existing governmental activities that could exacerbate a community's vulnerability. The assessment also will highlight the positive measures already in place or being completed at the local level, which should continue to be supported and enhanced, if possible, through future mitigation efforts.

In this section, information is provided for the Federal, State, and Regional capabilities available to local governments and a local self-assessment is provided for each jurisdiction in the CVPDC.

5.1 Federal, State, and Regional Capabilities

There are several Federal, State, and Regional capabilities available for all jurisdictions within the CVPDC. This section provides information on the agencies and programs available to support local mitigation planning.



FEMA

Federal Emergency Management Agency (FEMA). FEMA programs focus on responding to disasters and supporting state and local initiatives that will reduce the impacts of disasters. The programs provide technical assistance, regulatory standards, and financial assistance through grant programs. Some of the grant programs are provided after a disaster strikes and others are pre-disaster.

5.1.1 FEMA National Flood Insurance Program (NFIP)

The NFIP offers flood insurance to property owners with insurable assets located in communities that adopt and enforce certain provisions that will help to minimize future flood losses. These measures apply to all proposed activities within the special flood hazard areas that are designated on maps provided by FEMA. All the jurisdictions described in this Plan are NFIP communities.

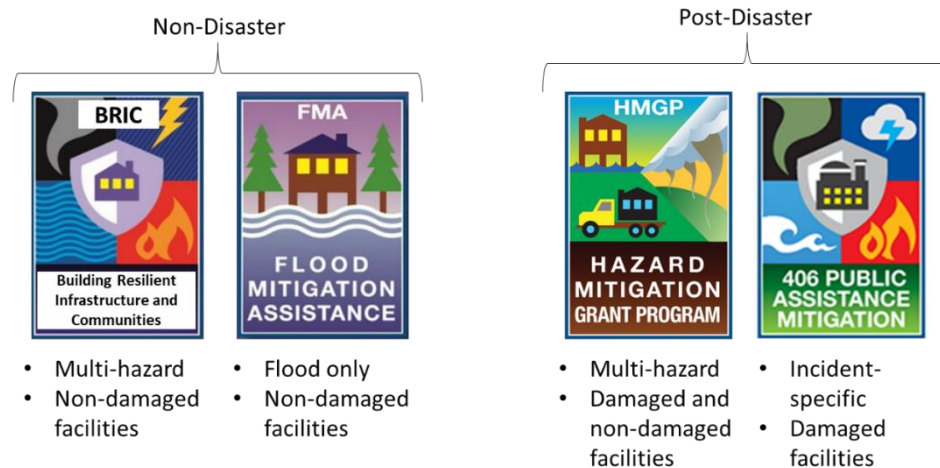
5.1.2 FEMA Community Rating System (CRS)

The CRS is an incentive program that rewards communities that exceed NFIP regulations in ways that reduce damage and improve safety. The incentive is a reduction in the cost of flood insurance premiums. Communities must apply, annually certify their programs, and undergo periodic audits. Lynchburg City is currently the only locality within the CVPDC pursuing CRS certification.



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5.1.3 FEMA Grant Programs



5.1.4 FEMA Risk Mapping, Assessment, and Planning (Risk MAP)

The Risk MAP program was created to create collaboration with state, local, and Tribal entities to deliver quality risk data that increases public awareness and leads to action that reduces risk to life and property. It also helps create informed risk management decisions and actions to mitigate risk through a consistent risk-based approach to assessing potential vulnerability and losses. This program is currently tasked with updating the floodplain maps for James River.



US Army Corps of Engineers®

U.S. Army Corps of Engineers. Within Virginia, USACE civil works projects for flood risk management, ecosystem restoration, and navigation activities and support are based on river basin watershed boundaries. For regulatory permitting activities, the Norfolk District oversees the entire state, but also coordinates with the other four USACE Districts in the State as needed. In addition to the main office in Norfolk, regional field offices are located around the state to provide regulatory assistance.

5.1.5 USACE Flood Plain Management Services Program

Under Section 206 of the 1960 Flood Control Act (PL 86-645) as amended, upon request, technical assistance and general planning guidance can be provided to state and local governments, Native American Indian tribes, and other non-federal public agencies without charge. Program services also are offered to non-water resources federal agencies and to the private sector on a 100% cost recovery basis. Technical assistance typically includes flood hazard evaluations for site specific locations, developing or interpreting flood flows, flood depths or stages; floodwater velocities; and the extent, duration, and frequency of flooding. General planning guidance can include development of special studies, guides, and pamphlets related to water resources.

5.1.6 USACE Continuing Authorities Program

Congress has provided USACE with standing authority to study, design, and construct small scale (less than \$10 million) water resource projects for various purposes without additional project specific congressional authorization. The sponsoring agency may be a state, county, city, tribe, or other group and must cost share in the project. Projects can include streambank and shoreline protection, flood risk management, navigation improvements, beneficial uses of dredged material, aquatic ecosystem restoration, and USACE project



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modifications for improvement to the environment. Cost-sharing for study and project costs can vary by business line.

5.1.7 USACE General Investigations Program

Congress can authorize USACE to study, design, and construct major flood risk management, navigation, and ecosystem restoration projects that may cost more than \$10 million. A feasibility study is cost-shared 50/50 between the federal government and non-federal sponsor, where the cost-sharing for other project costs can vary by business line.



U.S. Department of Housing and Urban Development (HUD). HUD programs are administered through the Virginia Department of Housing and Community Development (DHCD) and local entitlement communities and offer several programs to support local efforts to address hazards and implement mitigation actions.

5.1.8 HUD Community Development Block Grant (CDBG)

The CDBG program works to ensure decent affordable housing, to provide services to the most vulnerable in communities, and to create jobs through the expansion and retention of businesses. CDBG can be an important tool for helping local governments tackle serious challenges facing community and CDBG funds are routinely used in disaster-impacted areas for structure repair, elevation, and acquisition and demolition of damaged structures, particularly citizens that qualify for the FEMA HMGP program.



U.S. Environmental Protection Agency (EPA). The EPA's mission is to protect human health and the environment. It has created federal-state partnerships to support safe drinking water and water quality projects in the Commonwealth. The agency also supports responding to environmental disasters such as chemical spills and train derailments.

5.1.9 EPA Drinking Water State Revolving Fund (DWSRF) and Water Supply Assistance Grant (WSAG) Fund Program

The DWSRF and WSAG programs are federal-state partnership with Virginia Department of Health to help ensure safe drinking water. They were created by the 1996 Amendments to the Safe Drinking Water Act (SDWA) and provides financial support to water systems and to state safe water programs.

5.1.10 EPA Clean Water State Revolving Fund (CWSRF) Program

The CWSRF is a federal-state partnership with Virginia Department of Environmental Quality that provides communities with a low interest rate financing option to Virginia cities, towns, and wastewater authorities for the upgrade, expansion, extension, replacement, repair, rehabilitation, and/or additions to public wastewater collection and treatment facilities.



U.S. Department of Commerce, Economic Development Administration (EDA). EDA supports economic recovery strategies, in part by providing cost-shared funds for planning and technical assistance, emergency infrastructure grants, construction grants and a Revolving Loan Fund to assist communities and quasi-public entities such as local development corporations and public or private non-profit organizations. EDA funds have been used to retrofit or relocate public water supply or wastewater treatment facilities.



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After disasters, some communities use EDA long-term recovery funding to help businesses move to safer locations.



Federal Highway Administration (FHWA). The FHWA provides stewardship over the construction, maintenance, and preservation of the Nation's highways, bridges, and tunnels. It also conducts research and provides technical assistance to state and local agencies to improve safety and mobility.

5.1.11 FHWA Emergency Transportation Operations (ETO)

The ETO program provides tools, guidance, capacity building, and good practices that aid local and State DOTs and their partners in their efforts to improve transportation network efficiency and public/responder safety when a non-recurring event either interrupts or overwhelms transportation operations. Non-recurring events may range from traffic incidents to traffic Planning for Special Event (PSE) to disaster or emergency transportation operations. Work focuses on using highway operational tools to enhance mobility and motorist and responder safety. Partnerships can involve transportation, public safety (fire, rescue, emergency medical service, and law enforcement) and emergency management communities.

5.1.12 FHWA Federal-aid Highway Emergency Relief Program

The Emergency Relief (ER) program is intended to supplement the commitment of resources by States, counties, and cities (or other Federal agencies when appropriate) to help pay for unusually heavy expenses resulting from extraordinary conditions. Congress has authorized ER funding as part of the FHWA's Federal-aid highway program. ER funds are available for the repair of Federal-aid highways or roads on Federal lands that have been seriously damaged by natural disasters over a wide area or by catastrophic failures from an external cause. Examples of natural disasters include floods, hurricanes, earthquakes, tornadoes, tidal waves, severe storms, or landslides.



U.S. Department of Agriculture (USDA). The USDA has several loan and grant programs that may support mitigation initiatives and post-disaster recovery. The USDA's Natural Resources Conservation Service (NRCS) has additional programs which focus on providing technical and financial assistance to communities. These programs include:

- Rural Business-Cooperative Development Service Business and Industrial Loans help create jobs and stimulate rural economies by backing rural businesses.
- Rural Housing Service Community Facilities Loans and Grants can be used to construct, enlarge, or improve community services for health care, public safety, and public services.
- Water and Waste Grants and Loans are used to develop, replace, or repair water and waste disposal (including storm drainage) systems in rural areas and small towns.
- Farm Service Agency Emergency Conservation Program assistance can be used to rehabilitate certain farmland damaged by floods or other disasters.
- Farm Service Agency Tree Assistance provides cost-shared payments to orchardists, maple sugar producers, greenhouse operators and vineyard growers who incur losses due to damaging weather.
- Federal Multi-Peril Crop Insurance policies insure against losses due to natural causes such as drought, excessive moisture, hail, wind, frost, insects, and disease.
- Non-insured Crop Disaster Assistance Program helps growers of crops for which crop insurance is not available.



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- Farm Service Agency Flood Risk Reduction allows farmers to voluntarily execute contracts to receive payments on lands with high flood potential in return for foregoing certain USDA program benefits.
- Supplemental Revenue Assistance Payment Program (SURE) for crop losses in communities declared a disaster by the Secretary of Agriculture.
- Emergency Loans program provides loans to restore or replace essential property damaged in the disaster; finance production losses to crops and livestock; fund essential family living and farm operation expenses, or refinance certain debts.
- Emergency Conserve Program provides funding to address new conservation problems created by disaster that, if not treated, would impair or endanger the land. Funds can be used to rehabilitate farmland damaged by wind erosion, floods, hurricanes, or other natural disasters and to carry out water conservation measures during drought.
- Under authority in Public Law 566, the NRCS conducted numerous flood reduction projects to address problems in small watersheds. NRCS supports river basin and watershed planning initiatives undertaken by local jurisdictions.
- The Emergency Watershed Protection Program can provide technical and financial assistance to communities to repair and restore clogged and damaged waterways to pre-disaster conditions.
- The Emergency Conservation Program, coordinated with the USDA Farm Services Agency, provides technical assistance to the agricultural community after disasters.
- Wetland Reserve Program provides technical and financial support to help landowners implement wetland restoration, conservation, and wildlife practices.



US Small Business Administration (SBA). The SBA has the authority to declare disaster areas based on the number of homes and businesses that are affected, even if the event does not warrant a declaration by the President. SBA provides low interest loans and can authorize loan amounts up to 20% above the costs of restoration if the applicant agrees to implement mitigation measures. Individuals and businesses can use SBA funds to pay for the non-federal share of HMGP and FMA projects to elevate-in-place, relocate, or flood-proof buildings in flood hazard areas. The SBA uses the Business Physical Damage Loan Program to help businesses and nonprofit organizations repair or replace uninsured damaged property such as real estate, machinery and equipment, inventory, and supplies. SBA uses the Economic Injury Disaster Loan, or 'last resort loans' to provide working capital to small businesses and small agricultural cooperatives to help them through the recovery period. SBA uses the Disaster Assistance Program Loans to help eligible homeowners after a disaster including supporting mitigation measures such as drainage improvement, flood proofing, and hurricane shutter installation.



Virginia Department of Emergency Management (VDEM). VDEM is the primary coordinating state agency for emergency preparedness, response, recovery, and mitigation programs. Their responsibilities include a comprehensive, efficient, and effective response to emergencies and disasters throughout Virginia, including provision of assistance in the absence of events for which federal aid is made available. VDEM is charged with supporting mitigation planning and administers Hazard Mitigation Assistance (HMA) programs that provide grants to eligible entities to implement cost effective mitigation projects in the pre-disaster and post-disaster periods. VDEM also leads the Public Assistance Programs, which provide disaster assistance to state agencies, local jurisdictions, and certain private nonprofit entities to repair and restore



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damaged facilities. VDEM also supports the regional planning district commissions with their hazard mitigation plans.



Virginia Department of Conservation & Recreation (DCR). DCR supports the conservation, protection, and enhancement of Virginia lands and improves the quality of the Chesapeake Bay and our rivers and streams, promotes the stewardship and enjoyment of natural, cultural, and outdoor recreational resources, ensures the safety of Virginia's dams, and serves as the coordinator of all flood protection programs and activities in the Commonwealth. DCR is the State Coordinating Office for NFIP activities and administers the dam safety program. The Virginia Dam Safety, Flood Prevention, and Protection Assistance Fund helps local jurisdictions address problem areas by providing state funds to conduct engineering studies for both dams and floodplains. Some easement and other programs may support floodplain acquisition projects, including Scenic Rivers Program, funding from the Virginia Outdoors Fund, Conservation Reserve & Enhancement Program, and Best Management Practices implemented with Water Quality Improvement grants.



Virginia Department of Housing & Community Development (DHCD). DHCD collaborates with communities to assist them in developing their economic potential, and creating a healthy, safe, and affordable living environment. Following natural disasters, DHCD grant staff coordinate with VDEM hazard mitigation and human service managers to target funds to communities hardest hit. After catastrophic disasters of regional proportions, DHCD assists VDEM in coordinating local Long-Term Disaster Recovery Task Forces. These task forces are critical to coordination of various economic assistance and redevelopment programs, volunteer efforts, donations, and redevelopment. Strong local recovery task forces have supported disaster recovery throughout Virginia including the CVPDC region.



Virginia Department of Health (VDH). The mission of the VDH is to promote and protect the health of all Virginians. The VDH office of Emergency Preparedness has two federal grants through the US Department of Health and Human Services' (HHS) Office of the Assistant Secretary for Preparedness and Response (ASPR) Hospital Preparedness Program (HPP) and Centers for Disease Control and Prevention (CDC) Public Health Emergency Preparedness (PHEP). HPP and PHEP are focused on development of all healthcare and public health capabilities and ensuring that federal preparedness funds are directed to priority areas as identified through strategic planning efforts. Preparedness activities funded by the PHEP program are targeted specifically for the development of emergency-ready public health departments that are flexible and adaptable. This funding helps health departments build and strengthen their abilities to effectively respond to a range of public health threats, including infectious diseases, natural disasters, and biological, chemical, nuclear, and radiological events. The Hospital Preparedness Program (HPP) provides leadership and funding through grants and cooperative agreements to improve surge capacity and enhance community and hospital preparedness for health care emergencies.



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The Virginia Department of Forestry (VDOF). VDOF is responsible for the protection of forest land from fire, insects, and disease. The principle goals of the Forest Protection Program are to prevent injury or loss of human life, minimize property damage, and protect resources. The ability to adapt to emergencies enables a small formal fire suppression force to limit annual fire losses through coordination with local fire departments, forest industry, federal agencies, other state agencies, and VDOF organized volunteer fire crews. VDOF promotes FireWise practices for landscaping, creating defensible space, and construction. There are several FireWise communities in Bedford County. VDOF also maintains a statewide wildland fire risk assessment GIS database.



Virginia Department of Transportation (VDOT). VDOT is responsible for building, maintaining, and operating the state's roads, bridges, and tunnels, including repairs and replacements required after natural disasters. In accordance with requirements of the Federal Highway Administration, VDOT routinely factors flood hazards into the planning and design of transportation infrastructure.



Department of Mines, Minerals, and Energy (DMME). The primary goal of the Division of Geology and Mineral Resources is to enhance the safe and environmentally sound use of Virginia's resources. This includes an objective to reduce the impact of geologic hazards that pose safety and environmental problems, such as landslides and karst. The Division provides maps and digital data to local jurisdictions to be included in local hazard mitigation plans. For this Plan, DMME provided seismic activity maps of the region.



Department of Environmental Quality (DEQ). DEQ is the lead agency for the Virginia Drought Monitoring Task Force and compile Drought Status Reports using information from several state and federal agencies. The reports, which are distributed by VDEM, contain sections relating to current climatologically conditions and situation reports regarding water supplies, water quality, forest fire risks, and agriculture and crop reports. DEQ also has major responsibility for the environmental consequences of accidents and disasters. The agency plays a major role in hazardous materials containment, testing and abatement and provides oversight to the permitting process that oversees any activity with potential impacts to rivers, streams, or wetlands.



Central Virginia Planning District Commission (CVPDC). The Mission of the CVPDC is to be a dynamic public forum for matters of regional significance; to create solutions by coordinating plans and building coalitions; and, to provide service excellence to the localities and to the Commonwealth. The CVPDC is one of 21 Planning District Commissions in the Commonwealth of Virginia. It is a political subdivision representing ten local governments. Planning District Commissions are voluntary associations created pursuant to the Virginia Area Development Act adopted in 1969. The purpose of planning district commissions, as set out in the Code of Virginia, Section 15.2-4207 is "...to encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significance." The CVPDC serves as a resource of technical








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expertise to its member local governments. Specific programs affiliated with the CVPDC include regional all-hazards mitigation planning, transportation, ridesharing, and environmental concerns.

For more information concerning any of these programs, see Appendix I: Mitigation Funding Sources.

5.2 Capability Assessment

This assessment includes a comprehensive examination of the following local government capabilities:

Capabilities	Description
 Planning	Examines the plans, policies, and programs in place which can be used for hazard mitigation.
 Legal	Presents the authorities a jurisdiction can use to support hazard mitigation through regulations, acquisition, ordinances, and code enforcement.
 Administrative	Describes the local government and departments in a jurisdiction focusing on those entities that would be involved with hazard mitigation.
 Fiscal	Identifies the local budgets, taxation, and potential sources of funding.
 Technical	Provides information on the types and numbers of technical staff involved with hazard mitigation within the jurisdiction.



5.3 Planning Capabilities

Planning capability refers to the plans, ordinances, and programs in place that can support hazard mitigation. Many of a jurisdiction's plans can be linked to this hazard mitigation plan. Examples include the Comprehensive Plan, Capital Improvements Plan, Emergency Operations Plan, Disaster Recovery Plan, Economic Development Plan, Stormwater Management Plan, zoning ordinances, erosion and sediment control ordinance, historic preservation ordinance, floodplain management ordinance, transportation planning, subdivision ordinances, and building codes.

5.3.1 Comprehensive Plans

A community's comprehensive plan provides the future vision for the community regarding growth and development. Hazard mitigation planning is not specifically addressed as a goal or objective in any of the comprehensive plans in the study area. The plans include land use or environmental protection goals that could support future mitigation efforts and generally address flood-prone areas. There also are opportunities to include hazard mitigation in revisions to the comprehensive plans and to link to existing goals. For example,



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limiting development in the floodplain (which can be considered mitigation) also may help meet open space goals laid out in a plan.

5.3.2 Capital Improvement Plans

A capital improvements plan guides how and when the community makes public improvements. It can serve as an important mechanism to guide future development away from identified hazard areas. Limiting public investment in hazardous areas is an effective long-term mitigation action available to local governments.

5.3.3 Zoning Ordinances

Zoning represents the primary means by which land use is controlled by local governments. As part of a community's police power, zoning is used to protect the public health, safety, and welfare. Since zoning regulations enable municipal governments to limit the type and density of development, it can serve as a powerful tool when applied in identified hazard areas.

5.3.4 Building Codes, Permitting, and Inspections

Building codes regulate design and construction standards. Permits are issued and inspections are conducted on new construction and building alterations. Permitting and inspection processes before and after a disaster can affect the level of hazard risk faced by a community.

5.3.5 Historic Preservation Plans

A historic preservation plan preserves historic structures or districts within a community. An often-overlooked aspect of the historic preservation plan is the assessment of buildings and sites located in areas subject to natural hazards which may include the identification of the most effective way to reduce future damages. This could involve retrofitting or relocation techniques that account for the need to protect buildings that do not meet current building standards or are within a historic district that cannot be easily relocated out of harm's way.

5.3.6 Subdivision Ordinances

A subdivision ordinance regulates development of housing, commercial, industrial, or other uses, including associated public infrastructure, as land is subdivided into buildable lots. Subdivision design that accounts for natural hazards can reduce the exposure of future development.

5.3.7 Stormwater Management Plans

A stormwater management plan addresses flooding associated with stormwater runoff. It is typically focused on design and construction measures that are intended to reduce the impact of frequent urban nuisance flooding. Local governments in Virginia are required to administer stormwater management laws and regulations enacted by the State through local ordinances.

5.3.8 Emergency Operations Plans

A comprehensive Emergency Operations Plan (EOP) typically predetermines actions to be taken by government agencies and private organizations in response to an emergency or disaster event. The plan describes the jurisdiction's capabilities to respond to emergencies and establishes the responsibilities and procedures for responding effectively to the disaster. Hazard mitigation is incorporated into the various operational phases of



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these plans. Hazard mitigation is included as a functional annex to the Emergency Operations Plans developed by many jurisdictions. Generally, the annex describes the responsibilities of various departments and agencies, private businesses, and the public. The annex outlines a concept of operations that explains what activities will be undertaken before and after a disaster. Specific tasks are assigned to the Board of Supervisors/City Council (or other local governing body), Department of Emergency Services, Department of Health, Building Officials/County Engineer/Planning and Zoning, Law Enforcement, Fire Department and Emergency Crew, Superintendent of Schools, and Public Information Officer.

5.3.9 Continuity of Operations/Continuity of Government Plans

A continuity of operations plan (COOP) or continuity of government plan (COG) establishes a clear chain of command, line of succession, and plans for backup or alternate emergency facilities in case of an extreme emergency or disaster. This plan may be agency specific or cover the local government as a whole.

5.3.10 Disaster Recovery Plans

A disaster recovery plan guides the physical, social, environmental, and economic recovery and reconstruction process following a disaster. In many instances, hazard mitigation principles and practices are incorporated into local disaster recovery plans with the intent of capitalizing on opportunities to break the cycle of repetitive disaster losses. Disaster recovery plans can also lead to the preparation of disaster redevelopment policies and ordinances to be enacted following a hazard event.

5.3.11 Floodplain Management

Communities that regulate development in floodplains are able participate in the National Flood Insurance Program (NFIP). In return, the NFIP makes federally-backed flood insurance policies available for properties in the community. All the jurisdictions in the CVPDC meet NFIP requirements and are currently in the Program. Virginia statutes provide cities and counties the land use authority. In particular, issues such as floodwater control, are empowered through §15.2-2223 and §15.2-2280. All the jurisdictions in the planning area have adopted a local floodplain ordinance as a requirement of participation in the National Flood Insurance Program.

5.3.12 Floodplain Management Plan

A floodplain management plan (or a flood mitigation plan) provides a framework for the identification and implementation of corrective and preventative measures specifically designed to reduce the impacts of floods.



5.4 Legal Capabilities

This section will detail different legal considerations and their impact on local capability. In general, all CVPDC jurisdictions operate within the same legal environment, but there are some differences in the ordinances the jurisdictions have passed.

5.4.1 Dillon Rule

The Commonwealth of Virginia is considered a Dillon Rule state, one of only five remaining in the nation along with Kentucky, Minnesota, North Carolina, and Pennsylvania. The Dillon Rule, named for John Forest Dillon, chief justice of the Iowa Supreme Court in the late 1800's, is used to interpret state law when there is a question



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of whether or not a local government has a certain power. Under the Dillon Rule, should reasonable doubt exist as to whether a power has been granted to a local government, then the power has not been granted. Therefore, a local government can exercise no power or authority not expressly conferred on the locality by the Virginia General Assembly via the Code of Virginia or the local charter.

Local governments in Virginia have a wide range of tools available to them for implementing mitigation programs, policies, and actions. A hazard mitigation program can utilize any or all the four broad types of government powers granted by the State of Virginia, which are: (a) regulation, (b) acquisition, (c) taxation, and (d) spending. All power is vested in the state and can only be exercised by local governments to the extent it is delegated.

5.4.2 Regulation

Virginia local governments have been granted broad regulatory powers in their jurisdictions. Virginia State Statutes bestow the general police power on local governments, allowing them to enact and enforce ordinances which define, prohibit, regulate, or abate acts, omissions, or conditions detrimental to the health, safety, and welfare of the people, and to define and abate nuisances (including public health nuisances). Since hazard mitigation can be included under the police power (as protection of public health, safety, and welfare), towns, cities, and counties may include requirements for hazard mitigation in local ordinances. Local governments also may use their ordinance-making power to abate “nuisances,” which could include, by local definition, any activity or condition making people or property more vulnerable to any hazard.

5.4.3 Land Use

Regulatory powers granted by the state to local governments are the most basic manner in which a local government can control the use of land within its jurisdiction. Through various land use regulatory powers, a local government can control the amount, timing, density, quality, and location of new development. All these characteristics of growth can determine the level of vulnerability of the community in the event of a natural hazard. Land use regulatory powers include the power to engage in planning, and enact and enforce zoning ordinances, floodplain ordinances, and subdivision controls. Each local community possesses the ability to prevent unsuitable development in hazard-prone areas.

5.4.4 Planning

According to State Statutes, local governments in Virginia may create or designate a planning agency. The planning agency may perform a number of duties, including make studies of the area, determine objectives, prepare and adopt plans for achieving objectives, develop and recommend policies, ordinances, and administrative means to implement plans, and perform other related duties. The importance of the planning powers of local governments is illustrated by the requirement that zoning regulations be made in accordance with a comprehensive plan. While the ordinance itself may provide evidence that zoning is being conducted “in accordance with a plan,” the existence of a separate planning document ensures that the government is developing regulations and ordinances that are consistent with the overall goals of the community.

5.4.5 Zoning

Zoning is the traditional and most common tool available to local governments to control the use of land. Broad enabling authority is granted for municipalities and counties in Virginia to engage in zoning. Land “uses” controlled by zoning include the type of use (e.g., residential, commercial, and industrial) as well as minimum



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specifications that control height and bulk such as lot size, building height and setbacks, and density of population. Local governments are authorized to divide their territorial jurisdiction into districts, and to regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures, or land within those districts. Districts may include general use districts, overlay districts, and special use or conditional use districts. Zoning ordinances consist of maps and written text. Every locality in the state that enacts a zoning ordinance is required to also establish a board of zoning appeals. The responsibilities of the Board of Zoning Appeals include the ability to hear and decide appeals of decisions made by the Zoning Administrator; the ability to grant variances to provisions of the Zoning Ordinance based on strict guidelines; and the ability to provide interpretations for zoning district boundaries where uncertainty exists. The Board of Zoning Appeals does not have the authority to rezone property or to rule upon or revoke conditional use permits, powers reserved for the Board of Supervisors. Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court.

5.4.6 Subdivision Regulation

Subdivision regulations control the division of land into parcels for the purpose of building development or sale. Flood-related subdivision controls typically require that sub-dividers install adequate drainage facilities and design water and sewer systems to minimize flood damage and contamination. They also may prohibit the subdivision of land subject to flooding unless flood hazards are overcome through filling or other measures, and they prohibit filling of floodway areas.

5.4.7 Floodplain Regulation

All the communities in the study area have adopted floodplain regulations that meet the minimum requirements of the National Flood Insurance Program. All the communities have chosen to implement the floodplain ordinance as a zoning district (regular or overlay) including restrictions on manufactured homes. These restrictions include the need for manufactured homes to be elevated and/or anchored to a permanent foundation.

5.4.8 Building Codes and Building Inspection

Many structural mitigation measures involve building and retrofitting homes, businesses, and other structures according to standards designed to make the buildings more resilient to the impacts of natural hazards. Many of these standards are imposed through building codes. All the jurisdictions have adopted the Uniform Virginia Statewide Building Code. Local governments in Virginia also are empowered to carry out building inspections. It empowers cities and counties to create an inspection department, and enumerates their duties and responsibilities, which include enforcing state and local laws relating to the construction of buildings, installation of plumbing, electrical, and heating systems; building maintenance; and other matters. Most of the jurisdictions in the planning area have established a Building Inspections Office or have designated a Building Official to carry out building inspections.

5.4.9 Acquisition

The power of acquisition can be a useful tool for pursuing local mitigation goals. Local governments may find the most effective method for completely “hazard-proofing” a particular piece of property or area is to acquire the property (either in fee simple or a lesser interest, such as an easement), thus removing the property from the private market and eliminating or reducing the possibility of inappropriate development occurring. Virginia



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legislation empowers cities, towns, and counties to acquire property for public purpose by gift, grant, devise, bequest, exchange, purchase, lease, or eminent domain. Acquisition has not been used by any of the communities in the planning area though it has been used successfully in other parts of Virginia.

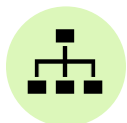
5.4.10 Taxation

The power to levy taxes and special assessments is an important tool delegated to local governments by Virginia law. The power of taxation extends beyond merely the collection of revenue and can have a profound impact on the pattern of development in the community. Communities have the power to set preferential tax rates for areas which are more suitable for development in order to discourage development in otherwise hazardous areas. Local units of government also have the authority to levy special assessments on property owners for all or part of the costs of acquiring, constructing, reconstructing, extending or otherwise building or improving flood protection works within a designated area. This can serve to increase the cost of building in such areas, thereby discouraging development. Because the usual methods of apportionment seem mechanical and arbitrary, and because the tax burden on a particular piece of property is often quite large, the major constraint in using special assessments is political. Special assessments seem to offer little in terms of control over land use in developing areas. They can, however, be used to finance the provision of necessary services within municipal or county boundaries. In addition, they are useful in distributing to the new property owners the costs of the infrastructure required by new development. Localities in Virginia collect a sales tax and all the jurisdictions in the planning area levy property taxes.

5.4.11 Spending

The fourth major power that has been delegated from the Virginia General Assembly to local governments is the power to make expenditures in the public interest. Hazard mitigation principles should be made a routine part of all spending decisions made by the local government, including the adoption of annual budgets and the Capital Improvement Plan (CIP). A CIP is a schedule for the provision of municipal or county services over a specified period of time. Capital programming, by itself, can be used as a growth management technique, with a view to hazard mitigation. By tentatively committing itself to a timetable for the provision of capital to extend services, a community can control growth to some extent, especially in areas where the provision of on-site sewage disposal and water supply are unusually expensive.

In addition to formulating a timetable for the provision of services, a local community can regulate the extension of and access to services. A CIP that is coordinated with extension and access policies can provide a significant degree of control over the location and timing of growth. These tools can also influence the cost of growth. If the CIP is effective in directing growth away from environmentally sensitive or high hazard areas, for example, it can reduce environmental costs.



5.5 Administrative Capabilities

There are three types of jurisdictions included in this Hazard Mitigation Plan: cities, counties, and towns. Cities are independent local government entities and have their own governing councils, constitutional officers, and administrative staff. Counties also are independent local government entities similar to cities but may contain



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incorporated towns within their boundaries. Incorporated towns are semi-independent local government entities, with taxing authority and other limited authority in addition to the surrounding county.

All the counties in CVPDC operate under a Traditional Form of government within the Commonwealth of Virginia. Under this form of government, an elected Board holds responsibility for the general legislative and administrative affairs of the jurisdiction. In the counties, a Board of Supervisors is elected, containing five to seven members from different districts within the county with a Chair and Vice Chair. The cities and towns in CVPDC use a Mayor-Council Form of government. For cities, a City Council are elected, with council members being at large or representing specific wards. Towns have a similar organization with a Town Council consisting of an elected Mayor and Council members.

For cities and counties, these forms of government also require the election of other officers, known as Constitutional Officers, who are responsible for the administration of certain specific aspects of community affairs. This usually includes the clerk of the court, commissioner of revenue, commonwealth's attorney, sheriff, and treasurer. The elected boards can also hire an administrator who oversees daily operations of the community and community staff. In counties, this is the county administrator, while in cities and towns this is the city or town manager. In counties and cities, the Board is responsible for establishing community policy via passage of resolutions and ordinances within limitations established by the General Assembly, approving an annual operating budget, setting tax rates, and making appointments to various boards and committees. The Board also approves land use plans and any subsequent amendments via rezonings.

The incorporated towns must have an elected governing body. Under the Mayor Council Form of government, the powers of government are vested in a Town Council. The Town Council is responsible for developing an annual Town budget, amending the Town Code, and developing policy to guide the activities of the Town. Council also has taxing authority and sets tax rates that are in addition to the County's rates for those citizens who live within the Town limits. A Mayor, not considered a member of Town Council, is also elected by all voters within the Town. The Mayor's duties include presiding over Council meetings and voting only in the event of a tie. The Mayor and Council Members are each elected to two-year terms.

The Town Council can choose to employ a Town Manager who is charged with overseeing the daily operations of the Town and carrying out the policy set forth by Council. Other functions of the Town Manager include communicating with the public and media, setting Council agendas and preparing associated materials, and assisting Council as needed. The Town Manager represents Council at many local, regional, and state functions and directs the activities of various departments. Towns have zoning and planning authority though they may choose to use the county planning commission as their town planning commission. Towns can issue general obligation and revenue bonds. In addition, towns of over 5,000 may appoint an emergency services director and exercise emergency powers separate from the county.

Under the County Administrator or the City or Town Manager, each jurisdiction has several departments and boards that are responsible for the various functions of local government. Although exact responsibilities differ from jurisdiction to jurisdiction, the general duties of the departments are described below.

- The Building Inspections office or department enforces the Virginia Uniform Statewide Building Code (VUSBC). This code includes many floodplain management considerations as it impacts site construction.



Capabilities

- Community Development departments are typically responsible for managing grant programs funded by the U.S. Department of Housing and Urban Development. These grant programs include the Community Development Block Grant Program. Community Development departments also may develop residential and commercial revitalization plans for older areas, serve as a resource on housing and community development issues, and undertake special redevelopment projects.
- Economic Development departments concentrate on ensuring the growth and prosperity of existing businesses. These departments often administer small business loan programs, state economic development programs, and workforce training programs. They also may recruit new businesses.
- Emergency Management or Services departments are responsible for the mitigation, preparedness, response, and recovery operations that involve both natural and man-made disaster events. Often, these functions may be included in a department of Public Safety that encompasses building inspections, emergency management, and fire safety. Fire/EMS departments provide medical aid and fire suppression at the scene of accidents and emergencies. These departments are often responsible for responding to hazardous materials incidents.
- Parks and Recreation departments may be responsible for open space programs. If acquisition projects are undertaken, coordination with this department becomes critical. The Planning Department (or Department of Development) addresses land use planning. This department, depending on the jurisdiction, may enforce the National Flood Insurance Program requirements and other applicable local codes.
- Public Utilities Department oversees the maintenance of infrastructure including roadways; sewer and stormwater facilities; and the community's electric, gas, wastewater, and water treatment facilities. Depending on the jurisdiction, the Department of Public Works may enforce the National Flood Insurance Program requirements.

Hazard Mitigation cuts across all these departments. For a successful mitigation program, it is necessary to have a broad range of people involved with diverse backgrounds. These people include planners, engineers, building inspectors, zoning administrators, floodplain managers, grant writers, and people familiar with Geographic Information Systems (GIS). It is also important that mitigation be assigned a specific responsibility to a department or person.



5.6 Fiscal Capabilities

One major factor in determining whether hazard mitigation actions can be implemented is the amount of funds the jurisdiction has to spend on the actions. The funding may be spent directly on mitigation projects or on staff time and administrative costs associated with the action.

The local jurisdictions in the planning area receive most of their revenue through state and local sales tax, local services, and through restricted intergovernmental contributions (federal and state pass through dollars). Lynchburg City also has a stormwater utility fee based on a property's impervious area. For Fiscal Year 2019, the budgets of the participating jurisdictions range from about \$179M for Lynchburg City to \$41.9M for Appomattox County and smaller budgets for towns.



5.7 Technical Capabilities

Technical capability, in this plan, refers to the technology and skillsets available to the jurisdictions to support mitigation programs and projects as well as the technical certification programs achieved. Hazard specialists, such as floodplain managers, can bring a specialized set of skills to help with identifying and implementing flood mitigation. Grant writers are very useful when requesting grant funding to implement recommended mitigation actions. A Geographic Information System (GIS) is critical in identifying potential vulnerable areas and for managing spatial information. GIS systems can best be described as a set of tools (hardware, software, and people) used to collect, manage, analyze, and display spatial data.

5.7.1 The Community Rating System (CRS)

The Community Rating System (CRS) was implemented in 1990 as a program for recognizing and encouraging community floodplain management activities that exceed the minimum NFIP standards. Residents of communities that participate in CRS receive a reduction in the flood insurance premium. There are ten CRS classes: class 1 requires the most credit points and gives the largest premium reduction; class 10 receives no premium reduction. None of the jurisdictions in this hazard mitigation plan are members of the CRS. However, the City of Lynchburg is currently becoming certified.

5.7.2 NWS StormReady® Program

StormReady helps communities develop plans to handle all types of extreme weather—from tornadoes to winter storms. The program encourages communities to take a proactive approach to improving local hazardous weather operations by providing emergency managers with clear-cut guidelines on how to improve their hazardous weather operations. To be officially StormReady, a community must:

- Establish a 24-hour warning point and emergency operations center;
- Have more than one way to receive severe weather warnings and forecasts and to alert the public;
- Create a system that monitors weather conditions locally;
- Promote the importance of public readiness through community seminars; and
- Develop a formal hazardous weather plan, which includes training severe weather spotters and holding emergency exercises.

5.7.3 Firewise Communities/USA Recognition Program®

To facilitate local solutions to wildfire preparedness goals, the Firewise Communities program recognizes communities for working together to protect residents and property from fire in the wildland/urban interface. To be officially Firewise, a community must:

- Form a board or committee that's comprised of residents and other applicable wildfire stakeholders,
- Obtain a written wildfire risk assessment from your state forestry agency or fire department and develop an action plan, and
- Host an outreach event and work with community members on addressing items in the action plan.



Capabilities

5.7.4 Community Emergency Response Team (CERT)

The CERT program educates volunteers about disaster preparedness for the hazards that may impact their area and trains them in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations. CERT offers a consistent, nationwide approach to volunteer training and organization that professional responders can rely on during disaster situations, allowing them to focus on more complex tasks. As of 2020, only the Town of Altavista participates in this program.

5.8 Local Capabilities – Amherst County and Town of Amherst

The Planning and Zoning department is responsible for updating and amending the Amherst County Comprehensive Plan. The plan covers, to varying degrees, all aspects of the cultural and physical landscape in Amherst County. The plan addresses land use types, roads, sewer and water services, public safety, public education, environmental issues, recreation, and even aesthetic issues. The plan has legal standing, in fact is required by Virginia law, but is used only to guide or influence actual courses of action by county government. Implementation of the plan usually takes the form of policy or law.

Through the Code of the County of Amherst, Virginia General Ordinances of the County (1987, codified through Ord. of April 19, 2005) Amherst County has adopted the Virginia Uniform Statewide Building Code and the State Erosion and Sediment Control Regulations. The purpose of these codes and regulations is to prevent the loss of property and life, health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

- Regulating uses, activities, and development which, acting alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies.
- Restricting or prohibiting certain uses, activities, and development from locating within areas subject to flooding.
- Requiring all those uses, activities, and developments that do occur in flood proofed against flooding and flood damage.
- Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

Amherst County provided an assessment of their capabilities in Table 5-1.

Table 5-1 Amherst County Capabilities

Amherst County Capabilities			Capacity Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2017	
	Time Horizon	2027	
	Land Use Plan	Yes	
	Emergency Operations Plan	Yes	



Capabilities

Amherst County Capabilities			Capacity Notes
	Continuity of Operations Plan	No	County does have elements of a COOP within the Emergency Operating Plan.
	Disaster Recovery Plan	Yes	Amherst County Public Schools completed; County plan coordinating departmental plans underway
	Economic Development Plan	Yes	
	Stormwater Management Plan	No	Program managed by DEQ; County has watershed protection plans for each watershed.
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	Separate watershed management ordinance.
	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	No	
Administration	Zoning Staff	Yes	
	Building Inspectors	Yes	
	Public Works Staff	Yes	
	Emergency Planners	Yes	
	GIS Staff	Yes	Contracted services
	Public Water/Wastewater Staff (ACSA)	Yes	
	Dedicated Floodplain Management Staff	No	Contracted services
	Dedicated Grant Writers	No	Contracted services
Fiscal	Total Annual Budget (2019)	\$50M	
	Public Safety Budget (2019)	\$11.6M	
	Public Works Budget (2019)	\$3.9M	
	Total Annual Budget/ACSA (2020)	\$5M	
	Stormwater Utility Fees	No	
	Water/Sewer Fees	Yes	Fees for public water/sewer services managed/paid to ACSA
	Gas/Electric Fees	No	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	Yes	
Technical	Certified Floodplain Manager	No	Community Development Director serves as Floodplain Manager
	CRS Program	No	
	Stormwater Program	Yes	Program Managed by DEQ
	Maintain Elevation Certificates	Yes	



Capabilities

Amherst County Capabilities			Capacity Notes
	Storm Ready Certified	No	
	FireWise Certified	No	
	Warning System	No	
	Emergency Notification System	Yes	

The Town of Amherst provided an assessment of their capabilities in Table 5-2.

Table 5-2 Town of Amherst Capabilities

Town of Amherst Capabilities			Capacity Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2017	
	Time Horizon	2040	
	Land Use Plan	Yes	
	Emergency Operations Plan	Yes	
	Continuity of Operations Plan	No	
	Disaster Recovery Plan	No	
	Economic Development Plan	Yes	Virginia's Region 2000 Comprehensive Economic Development Strategy (CEDS); EDA approved 2018
	Stormwater Management Plan	No	
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	
	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	Yes	
Administration	Zoning Staff	Yes	
	Building Inspectors	Yes	
	Public Works Staff	Yes	
	Emergency Planners	Yes	
	GIS Staff	Yes	Contracted



Capabilities

Town of Amherst Capabilities			Capacity Notes
	Dedicated Floodplain Management Staff	No	
	Dedicated Grant Writers	No	
Fiscal	Total Annual Budget (2020)	\$3.4M	
	Public Safety Budget (2020)	\$0.076M	
	Public Works Budget (2020)	\$0.223M	
	Stormwater Utility Fees	No	
	Water/Sewer Fees	Yes	
	Gas/Electric Fees	No	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	Yes	
Technical	Certified Floodplain Manager	No	
	CRS Program	No	
	Stormwater Program	No	
	Maintain Elevation Certificates	No	
	Storm Ready Certified	No	
	FireWise Certified	No	
	CERT Program	No	
	Warning System	No	
	Emergency Notification System	Yes	

5.9 Local Capabilities – Appomattox County and Town of Appomattox

The local government staff along with the Joint Appomattox Planning Commission is responsible for updating and amending the community development plan. The Natural Environment section of the plan details objectives to minimize risks to personal safety and property from natural hazards as well as protect environmentally sensitive and/or scenic areas of the County. The Zoning Ordinances in Appomattox County include floodplain regulations. The purpose of the plan includes:



Capabilities

- Establishes government policy used to help guide public and private activities as they relate to land use and resource utilization.
- Basis for land development regulations and decisions (i.e. re-zonings and conditional use permits), capital improvement programming (i.e. public projects such as schools, parks and libraries), transportation, environmental, and historical resource protection initiatives, new County programs and decisions concerning the distribution of County budget dollars to a multitude of programs and agencies.
- Serves as the community's guide for future development and as the vision for what the County should look like in twenty years.

Appomattox County provided an assessment of their capabilities in Table 5-3.

Table 5-3 Appomattox County Capabilities

Appomattox County Capabilities			Capability Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2016	
	Time Horizon	2040	
	Land Use Plan	Yes	
	Emergency Operations Plan	Yes	
	Continuity of Operations Plan	No	
	Disaster Recovery Plan	No	
	Economic Development Plan	Yes	Virginia's Region 2000 Comprehensive Economic Development Strategy (CEDS); EDA approved 2018
	Stormwater Management Plan	No	
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	
	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	Yes	Applicable to the Town only; overseen by Town
Administration	Zoning Staff	Yes	
	Building Inspectors	Yes	
	Public Works Staff	Yes	Contract with the Town
	Emergency Planners	Yes	Incorporated within staff capacities
	GIS Staff	Yes	Contracted
	Dedicated Floodplain Management Staff	No	Incorporated within Community Development Director duties
	Dedicated Grant Writers	No	Incorporated within Community Development Director duties
Fiscal	Total Annual Budget (2020)	\$41.9M	
	Public Safety Budget (2020)	\$4.1M	



Capabilities

Appomattox County Capabilities			Capability Notes
	Public Works Budget (2020)	\$1.6M	
	Stormwater Utility Fees	No	
	Water/Sewer Fees	Yes	County adopted water fees, but all revenue goes to and is managed by Appomattox Town
	Gas/Electric Fees	No	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	No	
Technical	Certified Floodplain Manager	No	
	CRS Program	No	
	Stormwater Program	No	Managed by DEQ.
	Maintain Elevation Certificates	No	
	Storm Ready Certified	Yes	
	FireWise Certified	No	
	Warning System	Yes	Within Town of Appomattox, siren managed via County's emergency staff. 3-5 mile radius audio capability
	Emergency Notification System	Yes	

The Town of Appomattox provided an assessment of their capabilities in Table 5-4.

Table 5-4 Town of Appomattox Capabilities

Town of Appomattox Capabilities			Capability Notes
Planning	Comprehensive Plan	Yes	Yes
	Date Updated	2015	Update process underway; anticipated approval 9/2020
	Time Horizon	2035	Pending Plan horizon 2040
	Land Use Plan	Yes	Yes
	Emergency Operations Plan	Yes	Yes
	Continuity of Operations Plan	No	No
	Disaster Recovery Plan	No	No
	Economic Development Plan	Yes	Virginia's Region 2000 Comprehensive Economic Development Strategy (CEDS); EDA approved 2018
	Stormwater Management Plan	No	No
Legal	Subdivision Ordinance	No	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	



Capabilities

	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	Yes	
Administration	Zoning Staff	Yes	Yes
	Building Inspectors	Yes	Use the County's Building Official
	Public Works Staff	Yes	Yes
	Emergency Planners	Yes	No Town emergency staff; all services via the County
	GIS Staff	Yes	Contracted
	Dedicated Floodplain Management Staff	No	
	Dedicated Grant Writers	No	
Fiscal	Total Annual Budget (2020)	\$2.7M	\$2.7M
	Public Safety Budget (2020)	\$1.36M	\$1.36M
	Public Works Budget (2020)	\$0.93M	\$0.93M
	Stormwater Utility Fees	No	No
	Water/Sewer Fees	Yes	Yes
	Gas/Electric Fees	No	No
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	Yes	Town does have the authority
Technical	Certified Floodplain Manager	No	
	CRS Program	No	
	Stormwater Program	No	
	Maintain Elevation Certificates	No	
	Storm Ready Certified	No	No
	FireWise Certified	No	No
	Warning System	Yes	Within Town of Appomattox, siren managed via County's emergency staff. Does require power;3-5 mile radius audio capability
	Emergency Notification System	Yes	Yes

5.10 Local Capabilities – Bedford County and Town of Bedford

The Bedford County Department of Planning is responsible for updating the Comprehensive Plan for the County. The County administrator or their designee serves as the zoning administrator. The zoning administrator is responsible for the enforcement of the zoning ordinance. The zoning ordinance in Bedford County includes floodplain regulations.

The zoning regulations and districts set forth in this ordinance are for the general purpose of implementing the comprehensive plan of Bedford County. The Zoning Ordinances in Bedford County include floodplain regulations. They are designed to achieve the general purposes of promoting the health, safety, and general



Capabilities

welfare of the public, and of further accomplishing the objectives of Section 15.2-2200 of the Code of Virginia, as amended. To these ends, this ordinance is designed for each of the following purposes:

- Provide for adequate light, air, convenience of access, and safety from fire, flood and other dangers;
- Reduce or prevent congestion in the public streets;
- Facilitate the creation of a convenient, attractive, and harmonious community;
- Facilitate the provision of adequate police, fire protection, disaster evacuation, civil defense, transportation, water, sewer, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports, and other public requirements;
- Protect against destruction of, or encroachment upon, historic buildings or areas;
- Protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light or air, hazards and congestion in travel and transportation, or loss of life, health, or property from fire, flood, panic, or other hazards;
- Encourage economic development activities that provide desirable employment and enlarge the tax base;
- Provide for the preservation of agricultural and forested lands;
- Protect approach slopes and other safety areas of licensed airports; and
- Protect surface and groundwater resources.

The Town of Bedford goals include protecting and promoting sound development and growth practices that take into consideration environmental factors (i.e. flooding, fire, drought). The Department of Planning and Community Development includes planning, economic development, the building department, and code enforcement. This department reviews site plans and plat surveys, works with businesses looking to relocate or establish themselves in Bedford, works with the community to develop and update the Comprehensive Plan, administers the Land Development Regulations and Zoning and enforces the Town Code as well as the Uniform Statewide Building Code (USBC). The Zoning Ordinances in the Town of Bedford include floodplain regulations.

For planning, the Town of Bedford Land Development Regulations were divided into different types of districts. The intent of Flood Hazard District FH is to preserve and protect lives and property in the flood plains of the City and to satisfy the United States Department of Housing and Urban Development and the State Water Control Board requirements for full entry into the National Flood Insurance Program, upon adoption of the Official Flood Hazard District Map from an engineering study.

Bedford County provided an assessment of their capabilities in Table 5-5.

Table 5-5 Bedford County Capabilities

Bedford County Capabilities			Capability Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2015	
	Time Horizon	2030	
	Land Use Plan	Yes	



Capabilities

Bedford County Capabilities			Capability Notes
	Emergency Operations Plan	Yes	
	Continuity of Operations Plan	No	
	Disaster Recovery Plan	No	
	Economic Development Plan	Yes	
	Stormwater Management Plan	No	
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	
	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	Yes	
Administration	Zoning Staff	Yes	
	Building Inspectors	Yes	
	Public Works Staff	Yes	
	Emergency Planners	Yes	
	GIS Staff	Yes	
	Dedicated Floodplain Management Staff	No	
	Dedicated Grant Writers	No	
Fiscal	Total Annual Budget (2019)	\$110M	
	Public Safety Budget (2019)	\$19.7M	
	Public Works Budget (2019)	\$5.3M	
	Stormwater Utility Fees	No	
	Water/Sewer Fees	Yes	
	Gas/Electric Fees	No	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	Yes	
Technical	Certified Floodplain Manager	Yes	



Capabilities

Bedford County Capabilities			Capability Notes
	CRS Program	No	
	Stormwater Program	Yes	
	Maintain Elevation Certificates	No	
	Storm Ready Certified	No	
	FireWise Certified	Yes, Some	
	CERT Program	No	
	Warning System	No	
	Emergency Notification System	Yes	

The Town of Bedford provided an assessment of their capabilities in Table 5-6.

Table 5-6 Town of Bedford Capabilities

Town of Bedford Capabilities			Capability Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2017	
	Time Horizon	2030	
	Land Use Plan	Yes	
	Emergency Operations Plan	Yes	
	Continuity of Operations Plan	No	
	Disaster Recovery Plan	No	
	Economic Development Plan	Yes	Virginia's Region 2000 Comprehensive Economic Development Strategy (CEDS); EDA approved 2018
	Stormwater Management Plan	No	
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	
	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	No	
Administration	Zoning Staff	Yes	
	Building Inspectors	Yes	
	Public Works Staff	Yes	
	Emergency Planners	No	Nondedicated; overseen by Fire Chief
	GIS Staff	Yes	



Capabilities

Town of Bedford Capabilities			Capability Notes
	Dedicated Floodplain Management Staff	No	No dedicated staff; overseen by Director of Planning & Community Development
	Dedicated Grant Writers	No	No dedicated staff; overseen primarily by Director of Planning & Community Development.
Fiscal	Total Annual Budget (2021)	\$34.2M	
	Public Safety Budget (2021)	\$2.64M	
	Public Works Budget (2021)	\$3.75M	
	Stormwater Utility Fees	No	
	Water/Sewer Fees	Yes	All fees are paid to Bedford Regional Water Authority (BRWA)
	Gas/Electric Fees	Yes	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	Yes	
Technical	Certified Floodplain Manager	No	Director of Planning & Community Development has been certified; opportunity to seek recertification
	CRS Program	No	
	Stormwater Program	Yes	Program managed through Bedford County
	Maintain Elevation Certificates		
	Storm Ready Certified	Yes	
	FireWise Certified	No	
	Warning System	No	A nonfunctioning system is located within the Town
	Emergency Notification System	Yes	

5.11 Local Capabilities – Campbell County, Town of Altavista, and Brookneal

Campbell County Community Development staff, with the input of the Board of Supervisors, Planning Commission, and citizens are responsible for updating the Comprehensive Plan. The County has adopted and incorporated the State Erosion and Sedimentation Regulations. The Campbell County Code of 1988 includes a chapter on Erosion and Sedimentation Control and Stormwater Management. The Zoning Ordinances in Campbell County include floodplain regulations. The purpose of this zoning ordinance is to promote the general health, safety, and welfare of the public and for the accomplishment of the above stated objectives. To those ends, the ordinance has been designed to give reasonable consideration to each of the following purposes, where applicable:

- To provide for adequate light, air, convenience of access, and safety from fire, flood, crime, and other dangers;



Capabilities

- To facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports, and other public requirements;
- To protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health or property from fire, flood, panic, and other dangers;
- To encourage economic development activities that provide desirable employment and enlarge the tax base;
- To provide for the preservation of agricultural and forestall lands and other lands of significance for the protection of the natural environment;
- To protect approach slopes and other safety areas of licensed airports, including United States government and military air facilities;
- To promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the County as well as a reasonable proportion of the current and future needs of the planning district within which Campbell County is situated; and
- To make reasonable provisions, not inconsistent with applicable state water quality standards, to protect surface water and ground water as defined in VA. CODE ANN. §62.1-255 (Repl. Vol. 2001).

Campbell County provided an assessment of their capabilities in Table 5-7.

Table 5-7 Campbell County Capabilities

Campbell County Capabilities			Capability Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2019	
	Time Horizon	2034	
	Land Use Plan	Yes	
	Emergency Operations Plan	Yes	
	Continuity of Operations Plan	No	
	Disaster Recovery Plan	No	
	Economic Development Plan	Yes	
	Stormwater Management Plan	No	
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	
	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	Yes	
Administration	Zoning Staff	Yes	
	Building Inspectors	Yes	
	Public Works Staff	Yes	
	Emergency Planners	Yes	
	GIS Staff	Yes	



Capabilities

Campbell County Capabilities			Capability Notes
	Dedicated Floodplain Management Staff	No	
	Dedicated Grant Writers	No	
Fiscal	Total Annual Budget (2019)	\$81M	
	Public Safety Budget (2019)	\$15.0M	
	Public Works Budget (2019)	\$3.8M	
	Stormwater Utility Fees	No	
	Water/Sewer Fees	Yes	
	Gas/Electric Fees	No	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	Yes	
Technical	Certified Floodplain Manager	No	
	CRS Program	No	
	Stormwater Program	Yes	
	Maintain Elevation Certificates	No	
	Storm Ready Certified	Yes	
	FireWise Certified	No	
	CERT Program	No	
	Warning System	No	
	Emergency Notification System	Yes	

The Town of Altavista provided an assessment of their capabilities in Table 5-8.

Table 5-8 Town of Altavista Capabilities

Town of Altavista Capabilities			Capability Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2016	
	Time Horizon	2030	
	Land Use Plan	Yes	
	Emergency Operations Plan	Yes	
	Continuity of Operations Plan	No	Use Campbell County's Plan
	Disaster Recovery Plan	No	Use Campbell County's Plan
	Economic Development Plan	Yes	Altavista Economic Development Plan, 2019
	Stormwater Management Plan	No	Stormwater oversight through VDOT
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	
	Floodplain Management Ordinance	Yes	



Capabilities

Town of Altavista Capabilities			Capability Notes
Administration	Historic Preservation Ordinance	No	
	Zoning Staff	Yes	
	Building Inspectors	No	Campbell County
	Public Works Staff	Yes	
	Emergency Planners	No	Campbell County
	GIS Staff	No	Campbell County
	Dedicated Floodplain Management Staff	Yes	Community Development Director
	Dedicated Grant Writers	No	Incorporated into activities under the Authority of the Town Manager.
Fiscal	Total Annual Budget (2020)	\$4.1M	
	Public Safety Budget (2020)	\$1.15M	
	Public Works Budget (2020)	\$1.23M	
	Stormwater Utility Fees	No	
	Water/Sewer Fees	Yes	
	Gas/Electric Fees	No	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	Yes	
Technical	Certified Floodplain Manager	No	
	CRS Program	No	
	Stormwater Program	Yes	Use the development and stormwater via DEQ.
	Maintain Elevation Certificates	No	
	Storm Ready Certified	No	
	FireWise Certified	No	
	Warning System	No	
	Emergency Notification System	Yes	Utilize Campbell County system.

The Town of Brookneal provided an assessment of their capabilities in Table 5-9.

Table 5-9 Town of Brookneal Capabilities

Town of Brookneal Capabilities			Capability Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2018	
	Time Horizon	2040	
	Land Use Plan	Yes	
	Emergency Operations Plan	Yes	Primary Campbell County, secondary Town
	Continuity of Operations Plan	No	
	Disaster Recovery Plan	No	



Capabilities

Town of Brookneal Capabilities			Capability Notes
	Economic Development Plan	Yes	Virginia's Region 2000 Comprehensive Economic Development Strategy (CEDS); EDA approved 2018
	Stormwater Management Plan	No	Stormwater managed by County
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	
	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	No	
Administration	Zoning Staff	Yes	
	Building Inspectors	No	Managed through Campbell County
	Public Works Staff	Yes	
	Emergency Planners	No	Police; all other emergency services via Campbell County
	GIS Staff	No	Assistance provide upon request through Campbell County
	Dedicated Floodplain Management Staff	No	
	Dedicated Grant Writers	No	
Fiscal	Total Annual Budget (2021)	\$1.6M	
	Public Safety Budget (2021)	\$0.22M	Police service only
	Public Works Budget (2021)	\$0.48M	
	Stormwater Utility Fees	No	
	Water/Sewer Fees	Yes	
	Gas/Electric Fees	No	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	No	
Technical	Certified Floodplain Manager	No	All development via Campbell County
	CRS Program	No	
	Stormwater Program	No	
	Maintain Elevation Certificates	No	
	Storm Ready Certified	No	
	FireWise Certified	No	
	Warning System	Yes	Old audible system, that is not used.
	Emergency Notification System	Yes	



Capabilities

5.12 Local Capabilities – Lynchburg City

The vision of Lynchburg City is to take pride in being a sustainable community; one that protects and manages its limited natural, historical, and cultural resources in such a way that the community environment, which its residents value and which sustains us today will sustain future generations. In order to achieve its Vision for the future, the City of Lynchburg has adopted a number of goals for the city government, citizens, organizations, and businesses to work toward. These goals outline broad policies for future action that address the various elements of the City's character that its citizens wish to protect, improve, and enhance. In the Comprehensive Plan, they are used to frame more detailed objectives and strategies, the latter outlining the specific actions that the City and its partners can take to achieve the goals and realize its Vision for the future. The Community Planning and Development Department is responsible for updating the Lynchburg City Comprehensive Plan. Many City officials, boards, and commissions are responsible for implementation of the plan. They include the Planning Commission, the project management team, and City Staff. The Zoning Ordinances in Lynchburg City include floodplain regulations.

Lynchburg City provided an assessment of their capabilities in Table 5-10.

Table 5-10 Lynchburg City Capabilities

Lynchburg Capabilities			Capability Notes
Planning	Comprehensive Plan	Yes	
	Date Updated	2014	
	Time Horizon	2030	
	Land Use Plan	Yes	
	Emergency Operations Plan	Yes	
	Continuity of Operations Plan	No	Available currently for individual departments. A city-wide plan is pending with completion anticipated in 2021.
	Disaster Recovery Plan	No	
	Economic Development Plan	Yes	
	Stormwater Management Plan	Yes	Stormwater Quality Plans, TMDLs, and Infrastructure Plans.
Legal	Subdivision Ordinance	Yes	
	Zoning Ordinance	Yes	
	Erosion and Sediment Control Ordinance	Yes	Stormwater Management Ordinance
	Floodplain Management Ordinance	Yes	
	Historic Preservation Ordinance	Yes	
Administration	Zoning Staff	Yes	
	Building Inspectors	Yes	
	Public Works Staff	Yes	
	Emergency Planners	Yes	
	GIS Staff	Yes	
	Dedicated Floodplain Management Staff	No	Incorporated within staff duties of Water Resources and Community Development



Capabilities

Lynchburg Capabilities			Capability Notes
	Dedicated Grant Writers	No	Incorporated within duties of multiple staff roles
Fiscal	Total Annual Budget (2019)	\$179M	
	Public Safety Budget (2019)	\$47.8M	
	Public Works Budget (2019)	\$17.9M	
	Stormwater Utility Fees	Yes	
	Water/Sewer Fees	Yes	
	Gas/Electric Fees	No	
	Special Purpose Taxes	No	
	Development Impact Fees	No	
	General Obligation Bonds	Yes	
Technical	Certified Floodplain Manager	Yes	
	CRS Program	No	Investigation entering program
	Stormwater Program	Yes	
	Maintain Elevation Certificates	Yes	Managed by Community Development
	Storm Ready Certified	Yes	
	FireWise Certified	No	
	Warning System	No	Some local systems owned/managed by local colleges
	Emergency Notification System	Yes	