

2005 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 1075

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Joint Conference Committee
on February 26, 2005)

(Patron Prior to Substitute—Senator Ticer)

A BILL to amend the Code of Virginia by adding in Chapter 7 of Title 15.2 a section numbered 15.2-750, relating to zoning powers in counties with a county manager plan of government.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 7 of Title 15.2 a section numbered 15.2-750 as follows:

§ 15.2-750. Board may accept dedication of rights to develop real property.

The board, in addition to any other zoning powers granted by general or special law, may include a provision for the dedication of density or other rights to develop real property, as defined by the locality, from one or more parcels of property that are not the subject of a development application and are located in the locality to one or more parcels of property that are the subject of a development application and are located elsewhere in the locality. Such dedication shall be subject to such terms as may be provided by zoning regulations, the conditions of a special use permit or special exception, or the proffered conditions of a rezoning application, including that the terms are binding on the owners of such property and on their successors and assigns.

2. That the provisions of this act shall expire on July 1, 2008, if no county with the county manager plan of government has enacted an ordinance pursuant to this act.

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