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SENATE BILL NO. 1238

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Local Government
on February 1, 2005)

(Patron Prior to Substitute—Senator Puller)

A *BILL to amend and reenact § 15.2-2223 of the Code of Virginia, relating to local comprehensive plans; provisions for the elderly and persons with disabilities.*

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2223 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose.

The local planning commission shall prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction and every governing body shall adopt a comprehensive plan for the territory under its jurisdiction.

In the preparation of a comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, *including the elderly and persons with disabilities.*

The comprehensive plan shall be general in nature, in that it shall designate the general or approximate location, character, and extent of each feature shown on the plan and shall indicate where existing lands or facilities are proposed to be extended, widened, removed, relocated, vacated, narrowed, abandoned, or changed in use as the case may be.

The comprehensive plan shall include a transportation element that designates a system of transportation infrastructure needs and recommendations that shall include, as appropriate, but not be limited to, roadways, bicycle accommodations, pedestrian accommodations, railways, bridges, waterways, airports, ports, and public transportation facilities. The Virginia Department of Transportation shall, upon request, provide localities with technical assistance in preparing such transportation element.

The plan, with the accompanying maps, plats, charts, and descriptive matter, shall show the locality's long-range recommendations for the general development of the territory covered by the plan. It may include, but need not be limited to:

1. The designation of areas for various types of public and private development and use, such as different kinds of residential, *including age-restricted, housing*; business; industrial; agricultural; mineral resources; conservation; recreation; public service; flood plain and drainage; and other areas;

2. The designation of a system of community service facilities such as parks, forests, schools, playgrounds, public buildings and institutions, hospitals, *nursing homes, assisted living facilities*, community centers, waterworks, sewage disposal or waste disposal areas, and the like;

3. The designation of historical areas and areas for urban renewal or other treatment;

4. The designation of areas for the implementation of reasonable ground water protection measures;

5. An official map, a capital improvements program, a subdivision ordinance, a zoning ordinance and zoning district maps, mineral resource district maps and agricultural and forestal district maps, where applicable;

6. The location of existing or proposed recycling centers; and

7. The location of military bases, military installations, and military airports and their adjacent safety areas.

The plan shall include: the designation of areas and implementation of measures for the construction, rehabilitation and maintenance of affordable housing, which is sufficient to meet the current and future needs of residents of all levels of income in the locality while considering the current and future needs of the planning district within which the locality is situated.

2. That localities shall implement the provisions of this act by July 1, 2008.