

2006 SPECIAL SESSION I

INTRODUCED

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SENATE BILL NO. 5005

Offered March 29, 2006

A BILL to amend the Code of Virginia by adding a section numbered 15.2-2286.1, relating to certain permitted provisions in a zoning ordinance.

Patrons—Hanger, Cuccinelli and Herring

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2286.1 as follows:

§ 15.2-2286.1. Traffic Congestion and Safety.

A locality may provide in its zoning ordinance for the denial or modification of an application for rezoning when the existing and future transportation network, which will serve the proposed development, is inadequate to handle the anticipated transportation impact of the proposed development. In determining whether the transportation network, which will serve the proposed development, is inadequate, the locality shall provide in its zoning ordinance for the consideration of the following: (i) the locality's comprehensive plan, the Department of Transportation's secondary road and other transportation plans, or such other available information regarding the transportation network, which will serve the proposed development; (ii) whether the proposed development reduces the level of service in the existing and future transportation network, as determined by the locality in consultation with appropriate transportation agencies; and (iii) whether the design and phasing of the proposed development, the funded capital improvements program, or other combination of public and private resources will address the anticipated transportation impact of the proposed development.

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