

## 2007 SESSION

INTRODUCED

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### HOUSE BILL NO. 2503

Offered January 10, 2007

Prefiled January 9, 2007

A *BILL to amend and reenact § 15.2-2316.1 of the Code of Virginia, relating to transfer of development rights.*

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Patron—Toscano

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Referred to Committee on Counties, Cities and Towns

#### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 15.2-2316.1 of the Code of Virginia is amended and reenacted as follows:**

§ 15.2-2316.1. Definitions.

As used in this article, the term:

"Development rights" means the permitted uses and density of development that would be allowed on the sending property under any local zoning ordinance of a locality in effect on the date an application is submitted pursuant to this article *unless otherwise defined in an ordinance adopted pursuant to § 15.2-2285.*

"Receiving area" means an area identified by an ordinance and designated by the comprehensive plan as an area authorized to receive development rights transferred from a sending area.

"Receiving property" means a lot or parcel within which development rights are increased pursuant to a transfer of development rights. Receiving property shall be appropriate and suitable for development and shall be sufficient to accommodate the transferable development rights of the sending property.

"Sending area" means an area identified by an ordinance and designated by the comprehensive plan as an area from which development rights are authorized to be transferred to a receiving area.

"Sending property" means a lot or parcel that a locality deems necessary to limit future development in accordance with the ordinance adopted in subsection C of § 15.2-2316.2.

"Transfer of development rights" means the process by which development rights from a sending property are affixed to one or more receiving properties.

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