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HOUSE BILL NO. 3196

Offered January 19, 2007

A *BILL to amend the Code of Virginia by adding a section numbered 15.2-2223.1, relating to comprehensive plan; urban development areas.*

Patrons—Athey, Frederick, Marshall, R.G. and Rust

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 15.2-2223.1 as follows:**

§ 15.2-2223.1. *Comprehensive plan to include urban development areas; new urbanism.*

A. Every county that has adopted zoning pursuant to Article 7 (§ 15.2-2280 et seq.) of Chapter 22 of Title 15.2 may, and any city or town may, amend its comprehensive plan to incorporate one or more proposed urban development areas, if such locality has had population growth of five percent or more from the next-to-latest to latest decennial census year, based on population reported by the United States Bureau of the Census. For purposes of this section, an urban development area is an area designated by a locality that is appropriate for higher density development due to proximity to transportation facilities, the availability of a public or community water and sewer system, or proximity to a city, town, or other developed area. The comprehensive plan shall provide for commercial and residential densities within urban development areas that are appropriate for reasonably compact development at a density of at least four residential units per gross acre and a floor area ratio of 0.4 per gross acre for commercial development. The comprehensive plan shall designate one or more urban development areas sufficient to meet projected residential and commercial growth in the locality for the ensuing 20-year period. Future growth shall be based on the projections of the Virginia Employment Commission. The boundaries and size of each urban development area shall be reexamined and revised every five years in conjunction with the update of the comprehensive plan and in accordance with the most recent available population growth projections.

B. The comprehensive plan shall further incorporate principles of new urbanism and traditional neighborhood development, which may include but need not be limited to (i) pedestrian-friendly road design, (ii) interconnection of new local streets with existing local streets and roads, (iii) connectivity of road and pedestrian networks, (iv) preservation of natural areas, (v) satisfaction of requirements for stormwater management, and (vi) mixed-use neighborhoods, including mixed housing types.

C. The comprehensive plan shall describe the financial and other incentives for development in the urban development areas.

D. No locality that has amended its comprehensive plan in accordance with this section shall limit or prohibit development pursuant to existing zoning or any application for rezoning based solely on the fact that the property is located outside the urban development area.

E. Any locality that has not revised its comprehensive plan to establish an urban development area pursuant to this section on or before July 1, 2008 shall not receive 50 percent of its annual secondary road allocation from the Virginia Department of Transportation. Such reduced allocation shall continue until an urban development area has been established pursuant to this section.

INTRODUCED

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