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SENATE BILL NO. 1064

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Local Government
on January 27, 2009)

(Patron Prior to Substitute—Senator Puller)

A BILL to amend and reenact §§ 15.2-2225 and 15.2-2226 of the Code of Virginia, relating to posting of comprehensive plans.

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-2225 and 15.2-2226 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-2225. Notice and hearing on plan; recommendation by local planning commission to governing body.

Prior to the recommendation of a comprehensive plan or any part thereof, the local planning commission shall (i) *post the comprehensive plan or part thereof that is to be considered for recommendation on a website that is maintained by the commission or on any other website on which the commission generally posts information, and that is available to the public or that clearly describes how the public may access information regarding the plan or part thereof being considered for recommendation*, (ii) give notice in accordance with § 15.2-2204, and (iii) hold a public hearing on the plan. After the public hearing, the commission may approve, amend and approve, or disapprove the plan. Upon approval, the commission shall by resolution recommend the plan, or part thereof, to the governing body and a copy shall be certified to the governing body. *Any comprehensive plan or part thereof approved by the commission pursuant to this section shall be posted on a website that is maintained by the commission or on any other website on which the commission generally posts information, and that is available to the public or that clearly describes how the public may access information regarding the plan or part thereof approved by the commission and certified to the governing body.*

§ 15.2-2226. Adoption or disapproval of plan by governing body.

After certification of the plan or part thereof, the governing body, ~~after~~ *shall post the comprehensive plan or part thereof certified by the local planning district on a website that is maintained by the governing body or on any other website on which the governing body generally posts information, and that is available to the public or that clearly describes how the public may access information regarding the plan or part thereof being considered for adoption. After a public hearing with notice as required by § 15.2-2204, the governing body shall proceed to a consideration of the plan or part thereof and shall approve and adopt, amend and adopt, or disapprove the plan. In acting on the plan or part thereof, or any amendments to the plan, the governing body shall act within ninety days of the local planning commission's recommending resolution. Any comprehensive plan or part thereof adopted by the governing body pursuant to this section shall be posted on a website that is maintained by the local governing body or on any other website on which the governing body generally posts information, and that is available to the public or that clearly describes how the public may access information regarding the plan or part thereof adopted by the local governing body.*