

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 15.2-2223 and 15.2-2224 of the Code of Virginia, relating to*
3 *comprehensive plan; broadband infrastructure.*

4 [H 640]
5 Approved

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

7 **1. That §§ 15.2-2223 and 15.2-2224 of the Code of Virginia are amended and reenacted as follows:**
8 **§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose.**

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

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

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

24 B. 1. As part of the comprehensive plan, each locality shall develop a transportation plan that
25 designates a system of transportation infrastructure needs and recommendations that include the
26 designation of new and expanded transportation facilities and that support the planned development of
27 the territory covered by the plan and shall include, as appropriate, but not be limited to, roadways,
28 bicycle accommodations, pedestrian accommodations, railways, bridges, waterways, airports, ports, and
29 public transportation facilities. The plan shall recognize and differentiate among a hierarchy of roads
30 such as expressways, arterials, and collectors. In developing the plan, the locality shall take into
31 consideration how to align transportation infrastructure and facilities with affordable, accessible housing
32 and community services that are located within the territory in order to facilitate community integration
33 of the elderly and persons with disabilities. The Virginia Department of Transportation shall, upon
34 request, provide localities with technical assistance in preparing such transportation plan.

35 2. The transportation plan shall include a map that shall show road and transportation improvements,
36 including the cost estimates of such road and transportation improvements from the Virginia Department
37 of Transportation, taking into account the current and future needs of residents in the locality while
38 considering the current and future needs of the planning district within which the locality is situated.

39 3. The transportation plan, and any amendment thereto pursuant to § 15.2-2229, shall be consistent
40 with the Commonwealth Transportation Board's Statewide Transportation Plan developed pursuant to
41 § 33.2-353, the Six-Year Improvement Program adopted pursuant to subsection B of § 33.2-214, and the
42 location of routes to be followed by roads comprising systems of state highways pursuant to subsection
43 A of § 33.2-208. The locality shall consult with the Virginia Department of Transportation to assure
44 such consistency is achieved. The transportation plan need reflect only those changes in the annual
45 update of the Six-Year Improvement Program that are deemed to be significant new, expanded, or
46 relocated roadways.

47 4. Prior to the adoption of the transportation plan or any amendment to the transportation plan, the
48 locality shall submit such plan or amendment to the Department for review and comment. The
49 Department shall conduct its review and provide written comments to the locality on the consistency of
50 the transportation plan or any amendment to the provisions of subdivision 1. The Department shall
51 provide such written comments to the locality within 90 days of receipt of the plan or amendment, or
52 such other shorter period of time as may be otherwise agreed upon by the Department and the locality.

53 5. The locality shall submit a copy of the adopted transportation plan or any amendment to the
54 transportation plan to the Department for informational purposes. If the Department determines that the
55 transportation plan or amendment is not consistent with the provisions of subdivision 1, the Department
56 shall notify the Commonwealth Transportation Board so that the Board may take appropriate action in

57 accordance with subsection E of § 33.2-214.

58 6. Each locality's amendments or updates to its transportation plan as required by subdivisions 2
59 through 5 shall be made on or before its ongoing scheduled date for updating its transportation plan.

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

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

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

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

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

72 5. A capital improvements program, a subdivision ordinance, a zoning ordinance and zoning district
73 maps, mineral resource district maps and agricultural and forestal district maps, where applicable;

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

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

77 8. The designation of corridors or routes for electric transmission lines of 150 kilovolts or more.

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

82 *E. The comprehensive plan shall consider strategies to provide broadband infrastructure that is*
83 *sufficient to meet the current and future needs of residents and businesses in the locality. To this end,*
84 *local planning commissions may consult with and receive technical assistance from the Center for*
85 *Innovative Technology, among other resources.*

86 **§ 15.2-2224. Surveys and studies to be made in preparation of plan; implementation of plan.**

87 A. In the preparation of a comprehensive plan, the local planning commission shall survey and study
88 such matters as the following:

89 1. Use of land, preservation of agricultural and forestal land, production of food and fiber,
90 characteristics and conditions of existing development, trends of growth or changes, natural resources,
91 historic areas, ground water, surface water, geologic factors, population factors, employment,
92 environmental and economic factors, existing public facilities, drainage, flood control and flood damage
93 prevention measures, dam break inundation zones and potential impacts to downstream properties to the
94 extent that information concerning such information exists and is available to the local planning
95 authority, the transmission of electricity, *broadband infrastructure*, road improvements, and any
96 estimated cost thereof, transportation facilities, transportation improvements, and any cost thereof, the
97 need for affordable housing in both the locality and planning district within which it is situated, and any
98 other matters relating to the subject matter and general purposes of the comprehensive plan.

99 However, if a locality chooses not to survey and study historic areas, then the locality shall include
100 historic areas in the comprehensive plan, if such areas are identified and surveyed by the Department of
101 Historic Resources. Furthermore, if a locality chooses not to survey and study mineral resources, then
102 the locality shall include mineral resources in the comprehensive plan, if such areas are identified and
103 surveyed by the Department of Mines, Minerals and Energy. The requirement to study the production of
104 food and fiber shall apply only to those plans adopted on or after January 1, 1981.

105 2. Probable future economic and population growth of the territory and requirements therefor.

106 B. The comprehensive plan shall recommend methods of implementation and shall include a current
107 map of the area covered by the comprehensive plan. Unless otherwise required by this chapter, the
108 methods of implementation may include but need not be limited to:

109 1. An official map;

110 2. A capital improvements program;

111 3. A subdivision ordinance;

112 4. A zoning ordinance and zoning district maps;

113 5. A mineral resource map;

114 6. A recreation and sports resource map; and

115 7. A map of dam break inundation zones.