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SENATE BILL NO. 850

Senate Amendments in [] — February 2, 1995

A BILL to amend and reenact § 15.1-458 of the Code of Virginia, relating to the official map.

Patron—Quayle

Referred to the Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That § 15.1-458 of the Code of Virginia is amended and reenacted as follows:

§ 15.1-458. Maps to be prepared in counties and municipalities; what map shall show.

In counties or municipalities where no official map exists, or where an existing official map is incomplete, the local commission may make, or cause to be made, a map showing the location of any:

1. Legally established public street, alley, walkway, waterway, and public area of the county or municipality; and

2. Future or proposed public street, alley, walkway, waterway and public area.

No future or proposed street or street line, waterway, nor public area, shall be shown on an official map unless and until the centerline of such street, the course of such waterway, or the metes and bounds of such public area, have been fixed or determined in relation to known, fixed and permanent monuments by a physical survey or aerial photographic survey thereof. In addition to the centerline of each street, the map shall indicate the width of the right-of-way thereof. Local commissions are hereby empowered to make or cause to be made the surveys required herein.

After adoption by the governing body of an official map, the local governing body may acquire in any way permitted by law property which is or may be needed for the construction of any street, alley, walkway, waterway or public area shown on such map [; even if the construction of the public work is not to occur until some future time. The application for a development permit by a property owner shall not restrict the locality from acquiring the property by condemnation. . When an application for a building permit is made to a county or municipality for an area shown on the official map as a future or proposed right-of-way, the county or municipality shall have 45 days to either grant or deny the building permit. If the permit is denied for the purpose of acquiring the property, the county or municipality has 120 days from the date of denial to acquire the property, either through negotiation or by filing condemnation proceedings. If the county or municipality has not acted within the 120 day period, the building permit shall be issued to the applicant.]

ENGROSSED

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