

2005 SESSION

SENATE SUBSTITUTE

053323828

SENATE BILL NO. 1075

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Local Government
on February 1, 2005)

(Patron Prior to Substitute—Senator Ticer)

A BILL to amend the Code of Virginia by adding in Chapter 7 of Title 15.2 a section numbered 15.2-750, relating to county manager plan of government; transfer of development rights.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 7 of Title 15.2 a section numbered 15.2-750 as follows:

§ 15.2-750. Transfer of development rights.

The board may include in its zoning ordinance reasonable regulations and provisions that provide for the transfer of some or all specified development rights, including density and other rights as defined by the county, to property that is the subject of a development application, from a parcel or parcels of property located in the county to another parcel or parcels of property located elsewhere in the county that are not the subject of the development application. The transfer of development rights shall be subject to such terms as may be provided by zoning regulations, the conditions of a special use permit or special exception, or the proffered conditions of a rezoning application, including that the terms are binding on the owners of such property and on their successors and assigns.

2. That the provisions of this act shall expire on July 1, 2008, if no county with the county manager plan of government has enacted an ordinance pursuant to this act.

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