

AMENDMENTS TO UDA DRAFT BILL PRESENTED AT 06-18-09 MEETING  
PREPARED FOR 07-30-09 WORKGROUP MEETING - (VERSION 2)

09 - 1483420

07/27/2009 9:35 AM

Kevin Stokes

SENATE BILL NO. \_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

1 A BILL to amend and reenact §§ 15.2-2223.1 and 15.2-4208 of the Code of Virginia, relating to urban  
2 development areas.

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

4 **1. That §§ 15.2-2223.1 and 15.2-4208 of the Code of Virginia are amended and reenacted as**  
5 **follows:**

6 § 15.2-2223.1. Comprehensive plan to include urban development areas.

7 A. For purposes of this section:

8 "Population growth" means the difference in population from the next-to-latest to the latest  
9 decennial census year, based on population reported by the United States Bureau of the Census.

10 "Urban development area" means an area designated by a locality that is (i) appropriate for  
11 higher density development due to its proximity to transportation facilities, the availability of a public or  
12 community water and sewer system, or a developed area, and (ii), to the extent feasible, to be used for  
13 redevelopment or infill development. ~~Such designated area may be referred to, by a locality, by a term~~  
14 ~~other than "urban development area."~~

15 B. Every ~~county, city, or town~~ locality that has adopted zoning pursuant to Article 7 (§ 15.2-2280  
16 et seq.) of ~~Chapter 22 of Title 15.2~~ this chapter and that (i) has a population of at least 20,000 and  
17 population growth of at least 5% or (ii) has population growth of 15% or more, shall, and any ~~county,~~  
18 ~~city or town~~ locality may, amend its comprehensive plan to incorporate one or more urban development  
19 areas. ~~For purposes of this section, population growth shall be the difference in population from the~~  
20 ~~next to latest to the latest decennial census year, based on population reported by the United States~~  
21 ~~Bureau of the Census. For purposes of this section, an urban development area is an area designated by a~~  
22 ~~locality that is appropriate for higher density development due to proximity to transportation facilities,~~

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23 ~~the availability of a public or community water and sewer system, or proximity to a city, town, or other~~  
24 ~~developed area.~~

25 1. The comprehensive plan of a locality having a population of less than 50,000 persons shall  
26 provide for commercial and residential densities within urban development areas, which shall be clearly  
27 displayed on the locality's comprehensive plan map, that are appropriate for reasonably compact  
28 development at a density of at least ~~three two family or three family residences,~~ four residential units  
29 single-family residences as defined in § 55-248.4, six townhouses, or 12 apartments as defined in § 55-  
30 79.2, condominium units as defined in § 55-79.41, or cooperative units per gross acre, or any  
31 proportional combination thereof, and a minimum floor area ratio of 0.4 per gross acre for commercial  
32 development.

33 The comprehensive plan of a locality having a population between 50,000 and 100,000 persons  
34 shall provide for commercial and residential densities within urban development areas, which shall be  
35 clearly displayed on the locality's comprehensive plan map, that are appropriate for reasonably compact  
36 development at a density of at least ~~four two family or three family residences,~~ eight single-family  
37 residences as defined in § 55-248.4, 12 townhouses, or 24 apartments as defined in § 55-79.2,  
38 condominium units as defined in § 55-79.41, or cooperative units, per gross acre, or any proportional  
39 combination thereof, and a minimum floor area ratio of 0.8 per gross acre for commercial development.

40 The comprehensive plan of a locality having a population of greater than 100,000 persons shall  
41 provide for commercial and residential densities within urban development areas, which shall be clearly  
42 displayed on the locality's comprehensive plan map, that are appropriate for reasonably compact  
43 development at a density of at least ~~five two family or three family residences,~~ 12 single-family  
44 residences as defined in § 55-248.4, 18 townhouses, or 36 apartments as defined in § 55-79.2,  
45 condominium units as defined in § 55-79.41, or cooperative units, per gross acre, or any proportional  
46 combination thereof, and a minimum floor area ratio of 1.2 per gross acre for commercial development.

47 The comprehensive plan of a locality having a population of greater than 250,000 persons shall  
48 provide for commercial and residential densities within urban development areas, which shall be clearly

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49 ~~displayed on the locality's comprehensive plan map, that are appropriate for reasonably compact~~  
50 ~~development at a density of at least 15 single-family residences as defined in § 55-248.4, 24~~  
51 ~~townhouses, or 50 apartments as defined in § 55-79.2, condominium units as defined in § 55-79.41, or~~  
52 ~~cooperative units, per gross acre, or any proportional combination thereof, and a minimum floor area~~  
53 ~~ratio of 1.6 per gross acre for commercial development.~~

54 ~~The urban development areas may provide for a mix of residential housing types, including~~  
55 ~~affordable housing, to meet the projected family income distributions of future residential growth. The~~  
56 ~~comprehensive plan shall designate one or more~~

57 2. The urban development areas designated by a locality shall be sufficient to meet projected  
58 residential and commercial growth in the locality for an ensuing period of at least ~~10 but not more than~~  
59 20 years, which may include phasing of development within the urban development areas. The urban  
60 development areas may shall provide for a mix of residential housing types, including affordable  
61 housing, to meet the projected family income distributions of future residential growth. Future  
62 residential and commercial growth shall be based on official estimates ~~and projections~~ of the Weldon  
63 Cooper Center for Public Service of the University of Virginia ~~or other official government sources or~~  
64 official projections of the Virginia Employment Commission or the United States Bureau of the Census,  
65 data collected and maintained by relevant planning district commissions, or any combination thereof.

66 3. The boundaries and size of each urban development area shall be reexamined and, if  
67 necessary, revised every five years in conjunction with the update of the comprehensive plan and in  
68 accordance with the most recent available population growth estimates and projections.

69 ~~Such districts may be areas designated for redevelopment or infill development.~~

70 ~~B. The comprehensive plan shall further incorporate~~ 4. Each urban development area shall may  
71 be designed and developed in accordance with principles of new urbanism and traditional neighborhood  
72 development, which ~~may shall, to the extent the locality deems practicable, include but need not be~~  
73 ~~limited to~~ (i) pedestrian-friendly road design, (ii) interconnection of new local streets with existing local  
74 streets and roads, (iii) connectivity of road and pedestrian networks, (iv) preservation of natural areas,

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75 (v) satisfaction of requirements for stormwater management, (vi) mixed-use neighborhoods, including  
76 mixed housing types, (vii) reduction of front and side yard building setbacks, and (viii) reduction of  
77 subdivision street widths and turning radii at subdivision street intersections.

78 ~~E5~~. The comprehensive plan shall describe any financial and other incentives for development in  
79 the urban development areas.

80 ~~DC~~. No ~~county, city, or town~~ locality that has amended its comprehensive plan in accordance  
81 with this section shall limit or prohibit development pursuant to ~~existing any~~ zoning ordinance or shall  
82 refuse to consider any application for rezoning based solely on the fact that the property is located  
83 outside the urban development area.

84 ~~ED. Any county, city, or town locality that would be required to amend its plan pursuant to this~~  
85 ~~section subsection B that determines that its plan accommodates growth in a manner consistent with this~~  
86 ~~section subsection B, upon adoption of a resolution certifying describing such compliance~~  
87 ~~accommodation and describing any financial and other incentives for development in the areas that~~  
88 ~~accommodate such growth, shall not be required to further amend its plan pursuant to subsection B.~~

89 ~~FDE~~. Any county that amends its comprehensive plan pursuant to ~~this section subsection B~~ may  
90 designate one or more urban development areas in any incorporated town within such county, if the  
91 ~~governing body council~~ of the town has also amended its comprehensive plan to designate the same  
92 areas as urban development areas with at least the same density designated by the county.

93 ~~GEE~~. To the extent possible, state and local transportation, housing, water and sewer facilities  
94 and economic development funding shall be directed to the urban development area.

95 § 15.2-4208. General duties of planning district commissions.

96 Planning district commissions shall have the following duties and authority:

- 97 1. To conduct studies on issues and problems of regional significance;
- 98 2. To identify and study potential opportunities for state and local cost savings and staffing
- 99 efficiencies through coordinated governmental efforts;
- 100 3. To identify mechanisms for the coordination of state and local interests on a regional basis;

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- 101 4. To implement services upon request of member localities;
- 102 5. To provide technical assistance to state government and member localities;
- 103 6. To serve as a liaison between localities and state agencies as requested;
- 104 7. To review local government aid applications as required by § 15.2-4213 and other state or  
105 federal law or regulation;
- 106 8. To conduct strategic planning for the region as required by §§ 15.2-4209 through 15.2-4212;
- 107 9. To develop regional functional area plans as deemed necessary by the commission or as  
108 requested by member localities;
- 109 10. To assist state agencies, as requested, in the development of substate plans;
- 110 11. To participate in a statewide geographic information system, the Virginia Geographic  
111 Information Network, as directed by the Department of Planning and Budget; ~~and~~
- 112 12. To collect and maintain demographic, economic and other data concerning the region and  
113 member localities, and act as a state data center affiliate in cooperation with the Virginia Employment  
114 Commission; ~~and~~
- 115 13. To provide planning assistance and data described in subdivision 12 to member localities as  
116 is necessary for their designations of urban development areas, as defined in § 15.2-2223.1.
- 117 #