



**GLOUCESTER COUNTY PLANNING COMMISSION
JOINT MEETING WITH BOARD OF SUPERVISORS
AGENDA**

Tuesday, February 25, 2025, 6:00 p.m.

**Thomas Calhoun Walker Education Center Auditorium
6099 T. C. Walker Road
Gloucester, VA 23061**

| | Pages |
|--|--------------|
| 1. Call to Order and Roll Call | |
| 2. Public Comment Period | |
| 3. Work Session Agenda | |
| a. Review of November 2024 Comprehensive Plan Community Survey Results – Steve Wright, MPA – Deputy County Administrator | 2 |
| b. Planning for the Comprehensive Plan Update – Anne Ducey-Ortiz, AICP - Director of Planning, Zoning & Environmental Programs | 31 |
| 4. Adjournment | |



BOARD AGENDA ITEM

TYPE OF AGENDA ITEM:

- CONSENT
- PRESENTATION
- REGULAR
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION / DISCUSSION
- DISCUSSION AND / OR DECISION
 - Resolution
 - Ordinance
 - Motion

PRESENTER: Steve Wright, MPA

TITLE: Deputy County Administrator

AGENDA TITLE: Review of November 2024 Comprehensive Plan Community Survey Results

BACKGROUND / SUMMARY: The purpose of this presentation is to provide an overview of the results from the November 2024 Comprehensive Plan Community Survey. Said results, along with feedback to be secured from a series of public forums, will be utilized to inform the creation of the revised Gloucester County Comprehensive Plan.

ATTACHMENTS:

Presentation slides

REQUESTED ACTION: NO ACTION REQUESTED

FOR MORE INFORMATION:

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Gloucester County Comp Plan Survey

November 2024

Presented by Steve Wright, MPA

Deputy County Administrator

Presentation Structure

01 Methodology

02 Overall Experience Living in Gloucester County

03 Employment in Gloucester County

04 Housing in Gloucester County

05 Route 17 and Transportation Options

06 Summary

| 01

Methodology

Methodology

Sample

432 respondents were recruited online between **October 10th and November 11th, 2024** using targeted ads on various platforms (e.g., social media, apps for Android and IOS) as well as online survey panels. Using data from the **US Census Bureau**, this survey employed quotas to match the distribution of **race, ethnicity, age, and gender** in Gloucester County, ensuring that the sample represents the entire population of the area.

Weighting

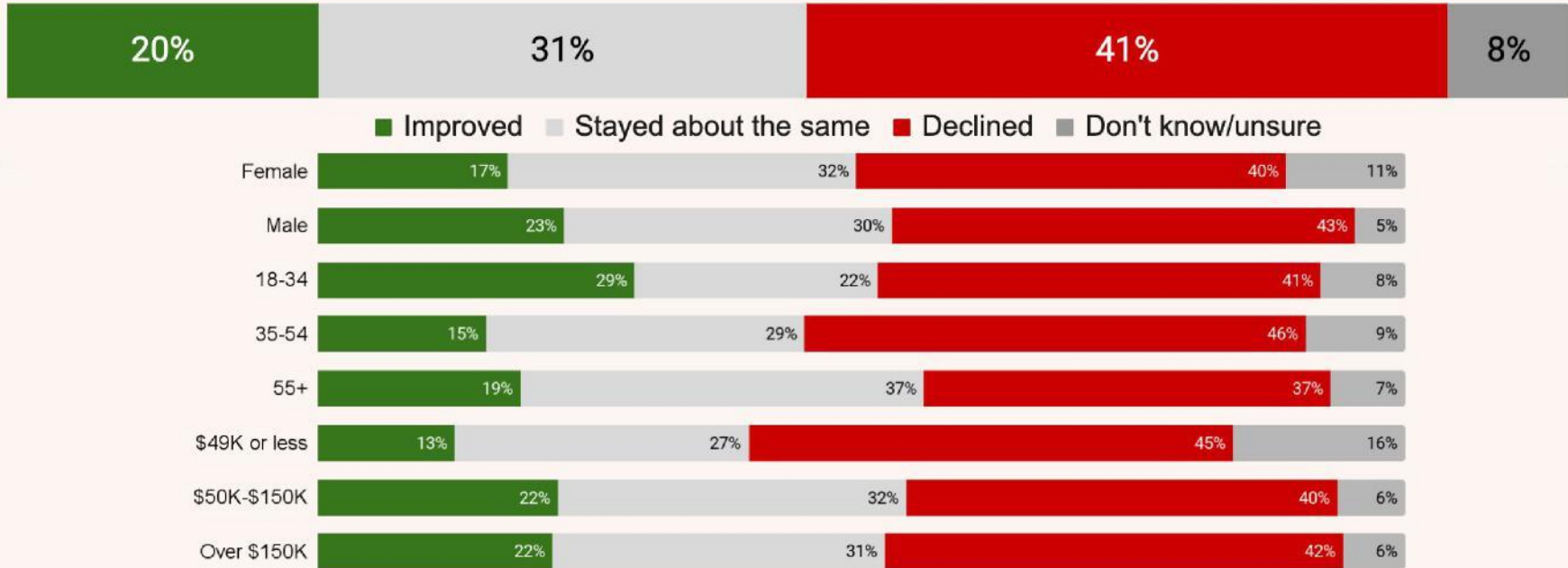
To make sure the sample is representative, a technique called **rake-weighting** was used to balance out any remaining differences between the makeup of the survey respondents and the community. This process serves as a **statistical safeguard** against any demographic group being overrepresented or underrepresented in the final score calculations by giving **overrepresented groups a lower weight** and **underrepresented groups a higher weight**.

| 02

Overall Experience Living in Gloucester County

Overall Experience: 51% of respondents think that the overall experience living in Gloucester has improved or stayed the same in the last 10 years. 41% of respondents think that the overall experience living in Gloucester has declined.

Q2: Thinking about your community ten years ago, would you say your overall experience living in Gloucester has improved, stayed about the same, or declined?



Q3: Why would you say your overall experience living in Gloucester has improved?

- **Improved Roads and County Services:**

Some residents highlighted better-maintained roads and enhanced county services as key improvements, making daily commutes smoother and providing more reliable public amenities.

- **Local Businesses:** Respondents noted the positive impact of new local businesses, which have contributed to the community's economic growth and offered residents more shopping and dining options.

- **Parks and Recreation:** A few residents appreciated recent enhancements to parks and recreational facilities, which have improved outdoor activities and community engagement opportunities.

“More amenities, clearer communication from local government, modern facilities.”

“More opportunities for community involvement and family oriented events.”

“Because Gloucester has really improved and grown as a whole”

Q4: Why would you say your overall experience living in Gloucester has declined?

- **Overdevelopment of the Area:** Overwhelming feedback highlighted dissatisfaction with the rapid urbanization and unchecked growth, which many believe has eroded Gloucester's rural charm, strained local infrastructure and led to overcrowding.
- **Decline in Community Resources:** Respondents noted a significant reduction in essential community services, such as schools, recreational facilities, and family-friendly amenities, which has diminished the quality of life and opportunities for residents.
- **Traffic and Road Maintenance:** Many residents expressed frustration with worsening traffic congestion and poorly maintained road infrastructure, which they feel have not kept pace with the area's growth, resulting in safety concerns and daily inconveniences.

“Uncontrolled growth resulting in too many housing projects being approved, without providing the infrastructure (roads, schools, recreational facilities) to support the extra residents.”

“I loved Gloucester for what a quiet and peaceful town it was. Now it's becoming super industrialized with tons of trees being cut down and tons of businesses and apartments being put up.”

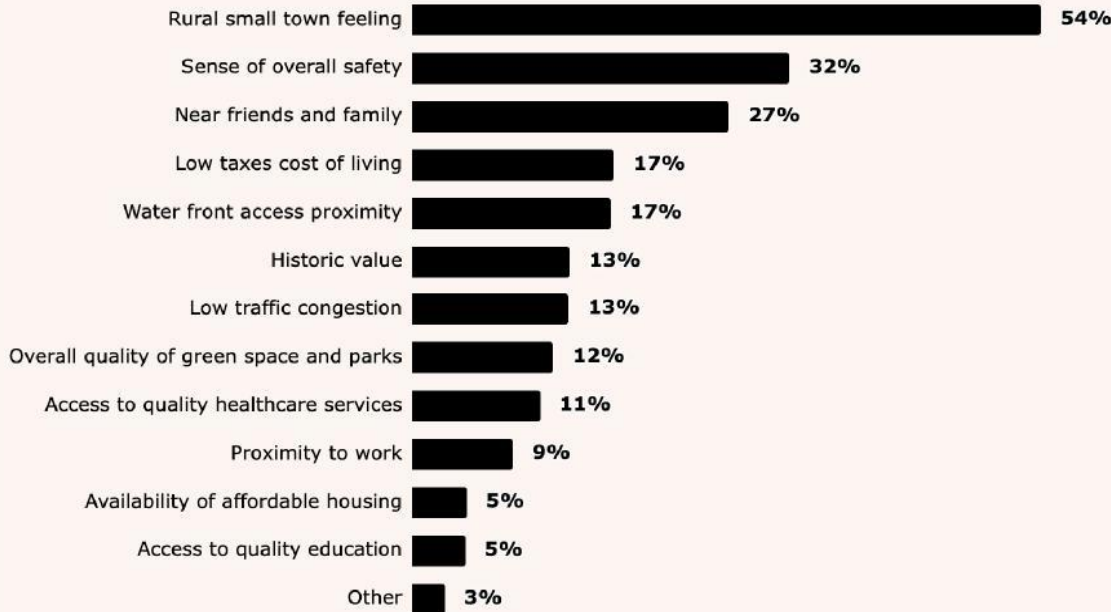
“Traffic has increased, stores and other public places have gotten crowded.”

Primary Reasons for the Decline in Quality of Life

| Theme-Why has your quality of life in Gloucester declined? | Number of times mentioned |
|---|---------------------------|
| Traffic/Speeding (particularly along 17) | 77 |
| Too much development (residential and/or commercial) | 61 |
| Crime/Drug Activity | 41 |
| Increased Population | 38 |
| Infrastructure and services have not kept up with the growth/Declining Infrastructure | 30 |
| Limited recreational or sports opportunities/venues for youth and adults | 19 |
| Losing small town charm/rural character | 17 |
| Diminished quality of education in GCPS/Limited investment in schools | 17 |
| Diminished aesthetics of the community/too much trash, etc. | 12 |
| Limited retail and restaurant opportunities | 9 |
| Lack of accountability of government leaders | 9 |
| Constructing new business spaces rather than using existing, vacant structures | 8 |
| High taxes | 8 |
| Too much low-income housing | 6 |
| Nature of rezoning (encouraging growth) | 5 |
| High business turnover rate | 5 |
| Noise and light pollution | 5. |

Characteristics of Gloucester: 54% of respondents think that the most desirable characteristic of Gloucester County is the rural small town feel, this is followed by 32% of respondents who think it is the sense of overall safety..

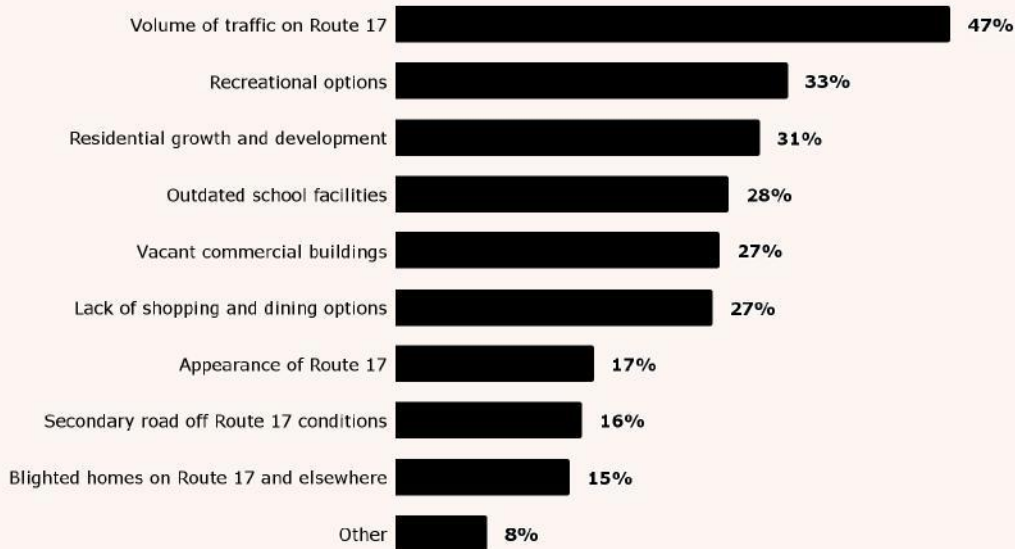
Q5: What do you see as the most desirable characteristics of Gloucester County?



| Group Second choice | |
|---------------------|-------------------------------|
| Overall | Sense of overall safety (32%) |
| 18-34 | Sense of overall safety (38%) |
| 35-54 | Near friends and family (33%) |
| 55+ | Sense of overall safety (30%) |
| \$49K or less | Near friends and family (33%) |
| \$50K-\$150K | Sense of overall safety (30%) |
| Over \$150K | Sense of overall safety (44%) |

Changes to Gloucester County: 47% of respondents report that the top thing that they would want to change about life in Gloucester County is the volume of traffic on Route 17. This was the top choice for most demographic groups except for younger respondents, for whom it is recreational options, and high income respondents, for whom it is residential growth and development.

Q6: What are the top things you would most want to change about life in Gloucester County?



| Group | Top choice | Second choice |
|---------------|--|--|
| Overall | Volume of traffic on Route 17 (47%) | Recreational options (33%) |
| 18-34 | Recreational options (42%) | Outdated school facilities (39%) |
| 35-54 | Volume of traffic on Route 17 (50%) | Recreational options (38%) |
| 55+ | Volume of traffic on Route 17 (50%) | Residential growth and development (32%) |
| \$49K or less | Volume of traffic on Route 17 (43%) | Recreational options (35%) |
| \$50K-\$150K | Volume of traffic on Route 17 (52%) | Recreational options (33%) |
| Over \$150K | Residential growth and development (40%) | Volume of traffic on Route 17 (34%) |

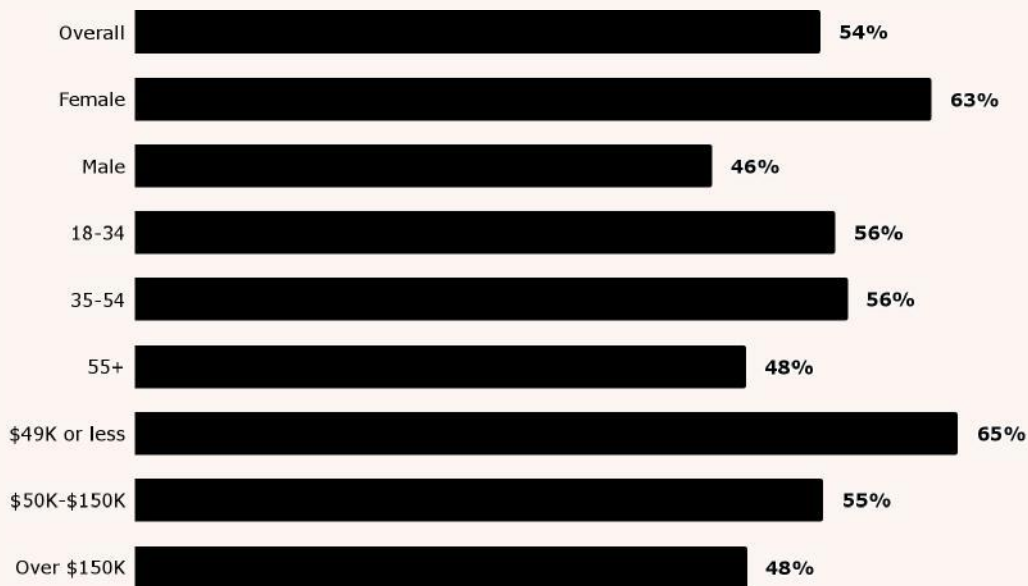
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Employment in Gloucester County

Working in Gloucester County: Of respondents who are employed, 54% work in Gloucester County. A higher percentage of female respondents (63%) work in the county compared to male respondents (46%). Additionally, 48% of high-income respondents work in Gloucester County, which is lower than both middle-income (55%) and low-income (65%) respondents.

Q7: Do you work in Gloucester County?

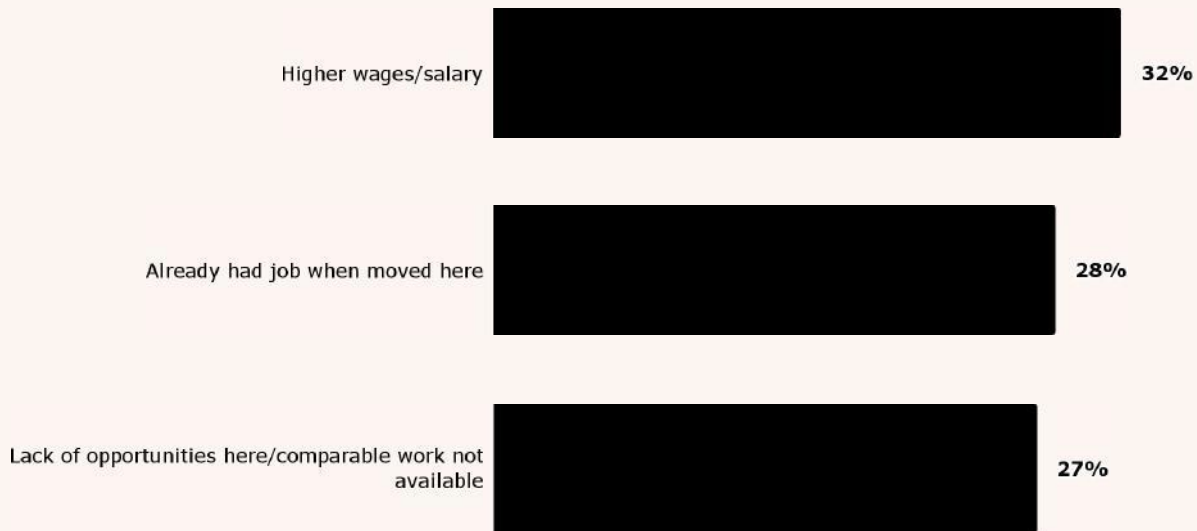
% Who work in Gloucester County



** not including respondents who are unemployed, retired or permanently disabled*

Working outside Gloucester County: Of those respondents who are employed and don't work in Gloucester county, 32% say that they work outside Gloucester County because of higher wage/salary and 27% say it is because of lack of opportunities in Gloucester County.

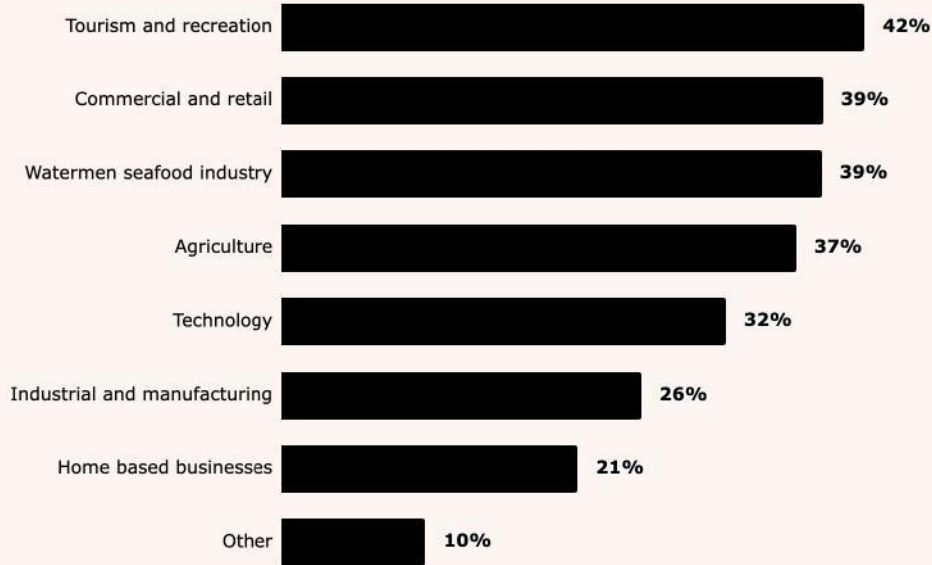
Q8: Why do you work outside of Gloucester County?



** not including respondents who are unemployed, retired or permanently disabled *"Other" option not included because sample size too small*

Business & employment growth: 42% of respondents feel that the most important business and employment growth for residents in Gloucester County is tourism and recreation. This is the top choice for most demographic groups except for younger respondents, for which it is agriculture growth (46%), and low-income respondents, for which it is commercial and retail growth (41%).

Q9: What types of business and employment growth do you feel are important based on the needs of Gloucester County residents?



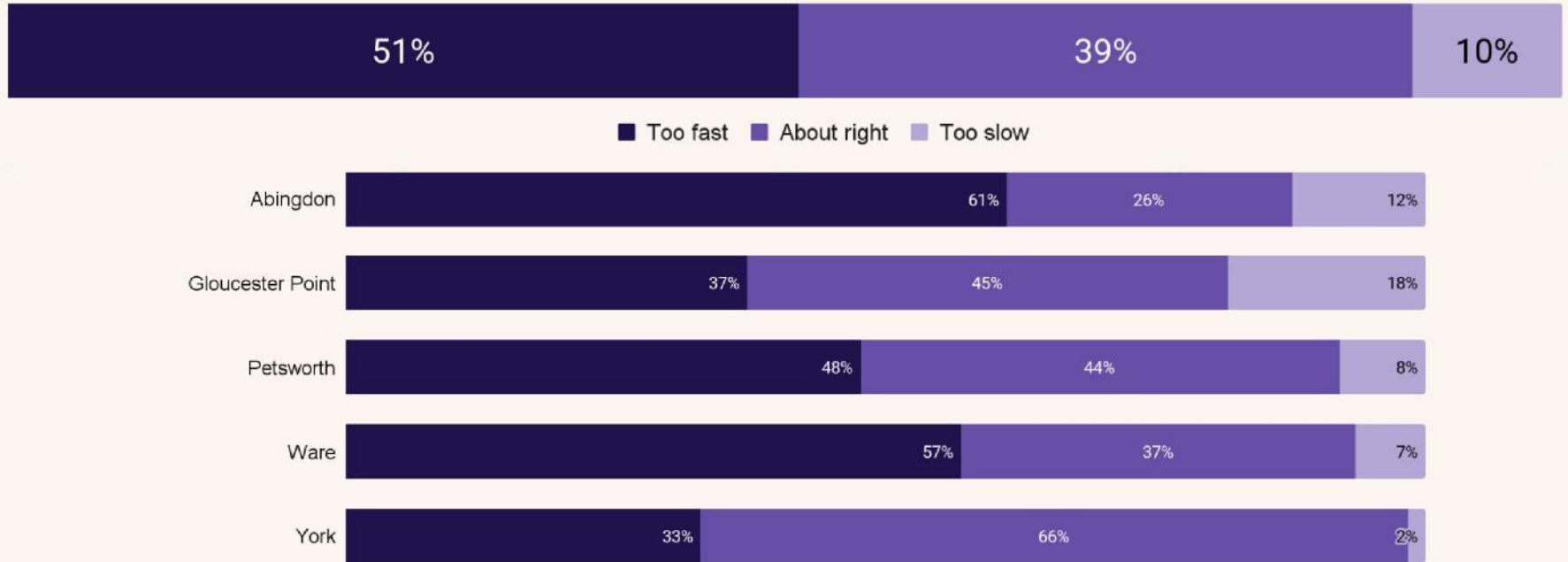
| Group | Top choice | Second choice |
|---------------|------------------------------|---------------------------------|
| Overall | Tourism and recreation (42%) | Commercial and retail (39%) |
| 18-34 | Agriculture (46%) | Watermen seafood industry (43%) |
| 35-54 | Tourism and recreation (46%) | Commercial and retail (42%) |
| 55+ | Tourism and recreation (40%) | Technology (38%) |
| \$49K or less | Commercial and retail (41%) | Tourism and recreation (39%) |
| \$50K-\$150K | Tourism and recreation (43%) | Watermen seafood industry (39%) |
| Over \$150K | Commercial and retail (46%) | Tourism and recreation (39%) |

| 04

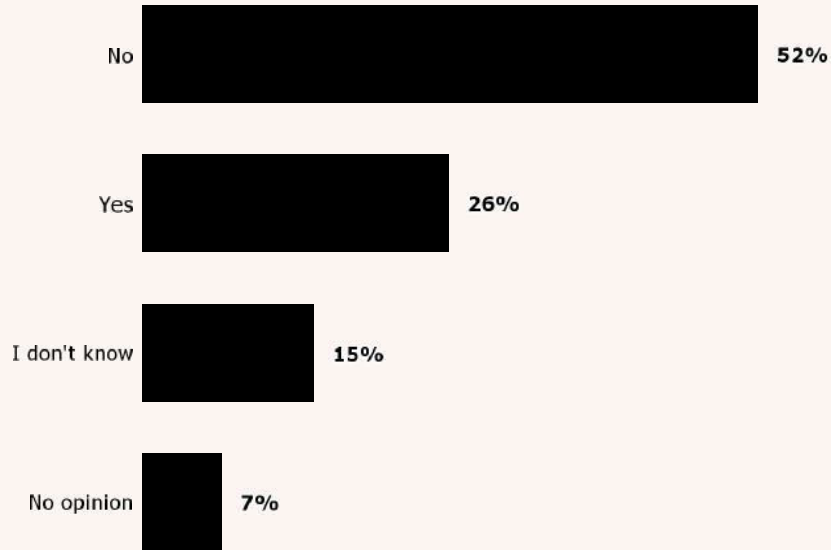
Housing in Gloucester County

Residential growth: 51% of respondents think that growth in their district is too fast and 39% think it's about right. Abingdon has the highest percentage of respondents who think growth is too fast, with 61%, followed by Ware, where 57% think that the growth it too fast.

Q10: In your district, do you think the residential growth is..,



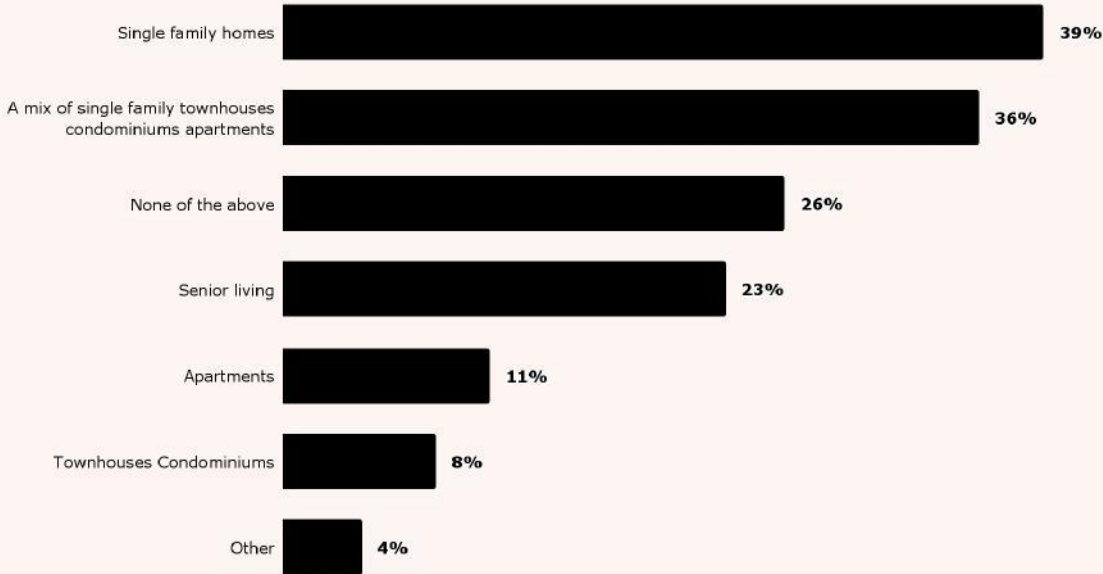
Adequate affordable housing: Most respondents (52%) do not believe there is an adequate amount of affordable housing in Gloucester County. Low-income respondents and respondents from Ware had the highest percentages of respondents who don't think there is enough affordable housing (66% and 58%, respectively).
Q11: Do you feel there is an adequate amount of affordable housing in Gloucester County?



| Group | %No | % Yes |
|------------------|-----|-------|
| 18-34 | 52% | 34% |
| 35-54 | 54% | 26% |
| 55+ | 52% | 22% |
| <hr/> | | |
| \$49K or less | 66% | 18% |
| \$50K-\$150K | 53% | 29% |
| Over \$150K | 43% | 32% |
| <hr/> | | |
| Abingdon | 50% | 33% |
| Gloucester Point | 49% | 20% |
| Petsworth | 56% | 29% |
| Ware | 58% | 24% |
| York | 47% | 20% |

New housing: 39% of respondents think that single-family homes are the new type of housing needed in Gloucester County, followed by 36% who think it is a mix of single-family, townhouses/condominiums & apartments. These are the top two choices across all demographic groups except for older respondents, whose top choice was senior living (38%)

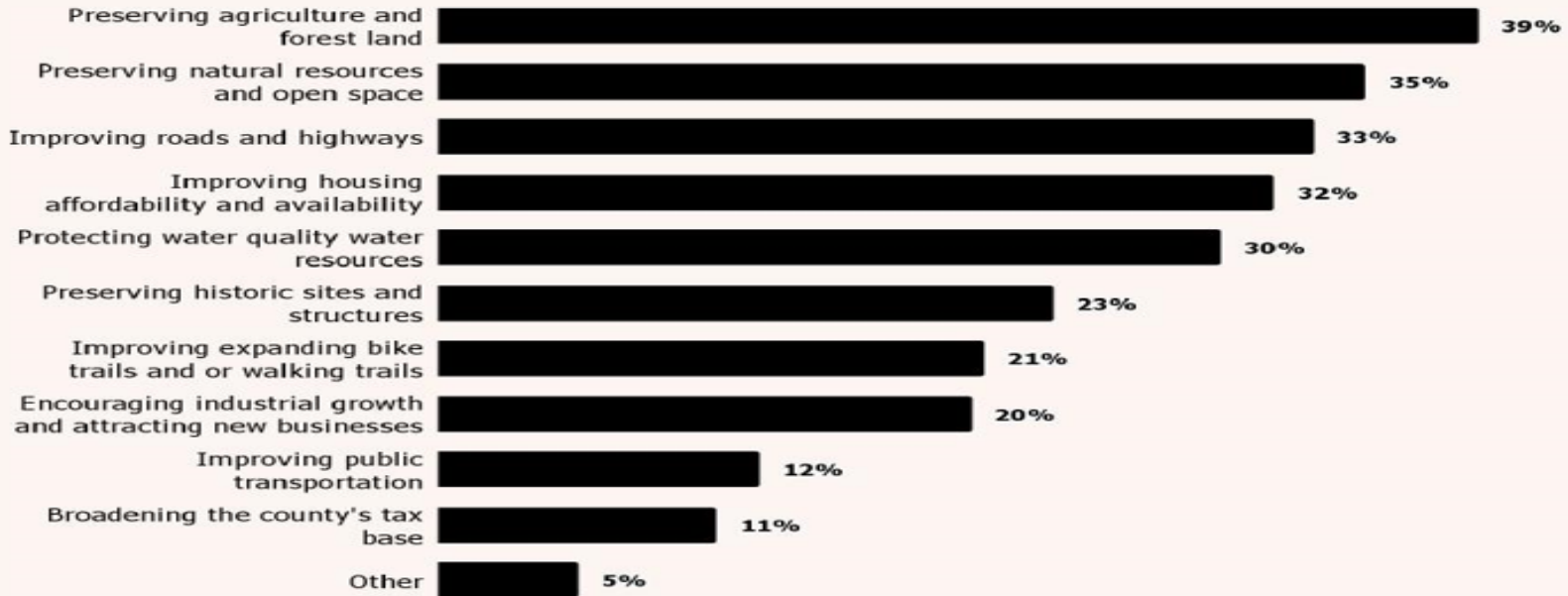
Q12: What types of new housing do you think are needed in Gloucester County?



| Group | % Single family homes | % A mix of single-family, townhouses /condos & apartments |
|------------------|-----------------------|---|
| 18-34 | 39% | 38% |
| 35-54 | 45% | 40% |
| 55+ | 36% | 33% |
| \$49K or less | 39% | 39% |
| \$50K-\$150K | 37% | 36% |
| Over \$150K | 53% | 39% |
| Abingdon | 36% | 32% |
| Gloucester Point | 44% | 44% |
| Petsworth | 37% | 38% |
| Ware | 45% | 28% |
| York | 44% | 25% |

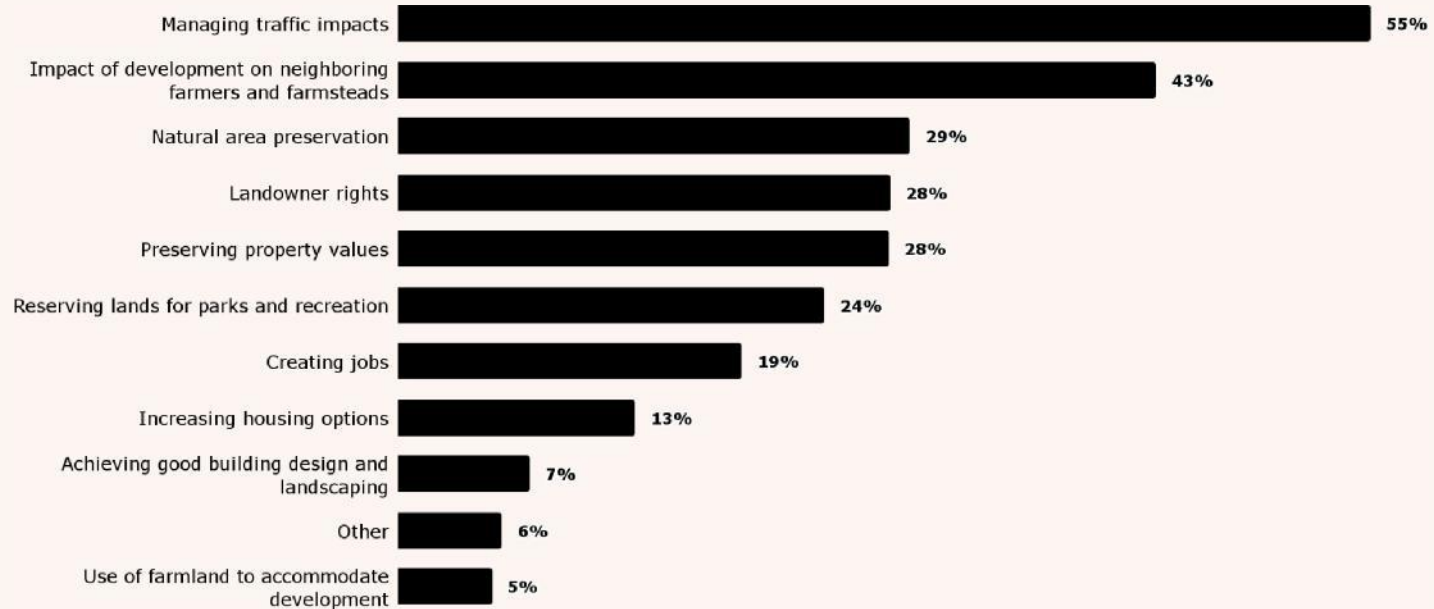
Growth and development: 39% of respondents think that the most important factor for the future growth and development of Gloucester County is preserving agriculture and forest land. This is the top choice across most demographic groups except for low-income respondents and respondents from the Gloucester Point district, for whom it is improving housing affordability and availability. Respondents from the York district think protecting water quality is the most important.

Q13: In your opinion, which of the following are the most important factors for the future growth and development of Gloucester County?



Residential and commercial development: 55% of respondents think that the most important factor in considering future residential and commercial development proposals is managing traffic impacts, followed by 43% who think it is the impact of development on neighboring farmers and farmsteads.

Q14: In your opinion, which of the following are the most important things for Gloucester County to keep in mind while considering future residential and commercial development proposals?

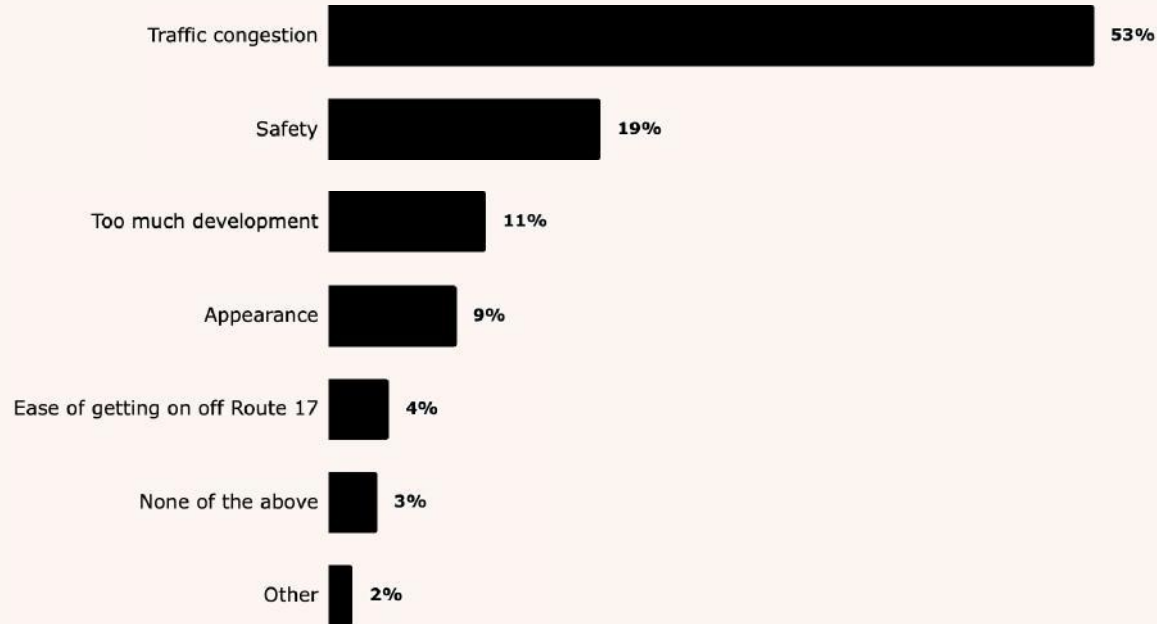


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Route 17 and Transportation Options

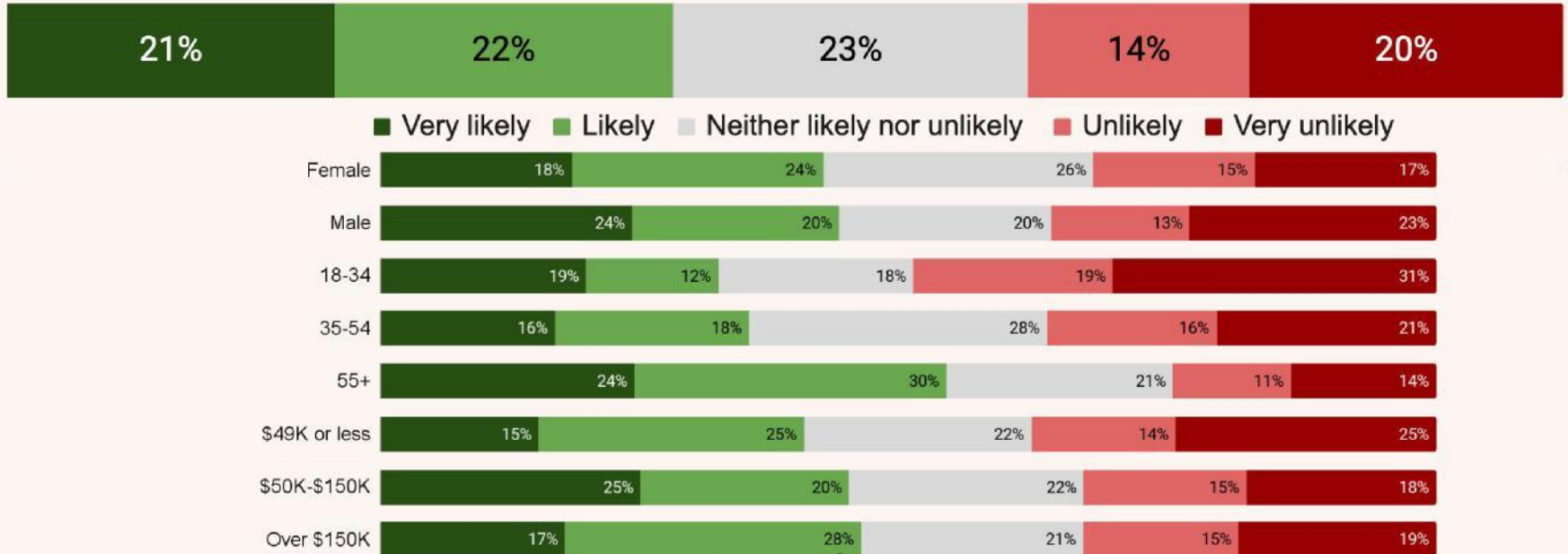
Issues with Route 17 Corridor: The majority (53%) of respondents think that the biggest issue with the Route 17 corridor is traffic congestion, while a further 19% of respondents think it is safety. These are the top two concerns across all districts and demographic groups.

Q15:In your opinion, what is the biggest issue when it comes to the Route 17 corridor?



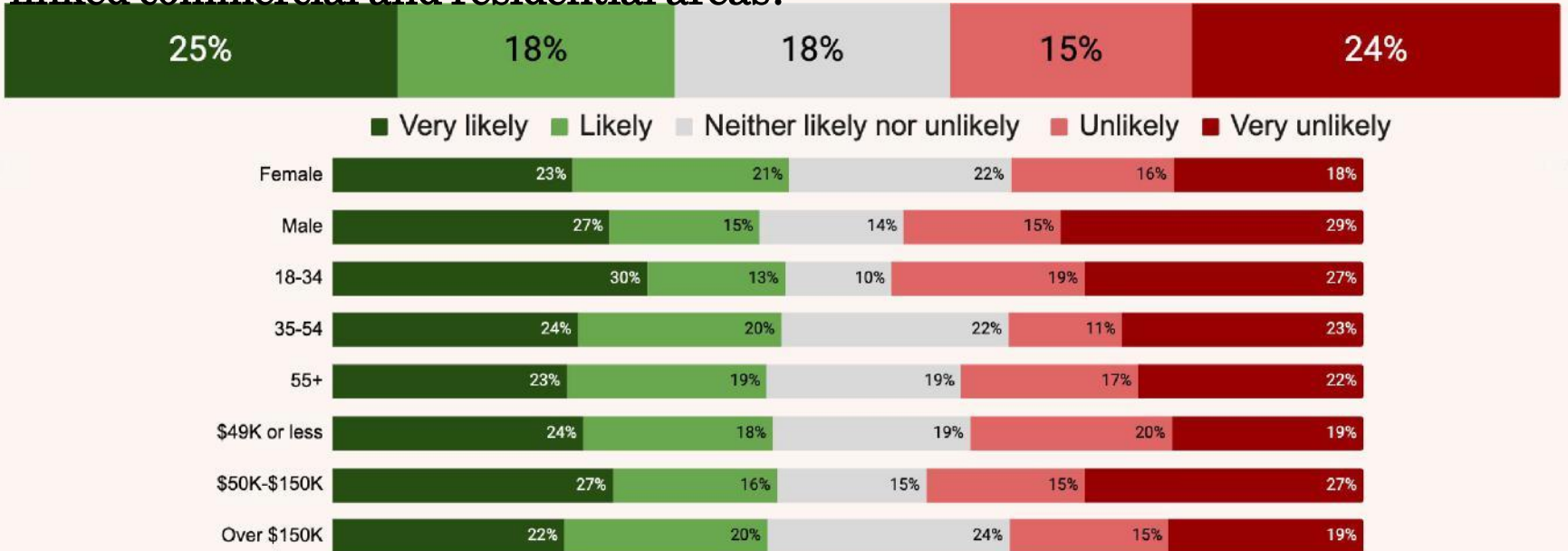
Route 17 alternatives: 43% of respondents are likely (likely or very likely) to support purchasing private property to create a public route as an alternative to Route 17, whereas 34% of respondents are unlikely (unlikely or very unlikely) to support this option. Older respondents (aged 55+) are the most likely to support this (54%) and younger respondents (18–34) are the least likely to support this (31%).

Q16: How likely are you to support purchasing private property from a willing seller to create a public route as an alternative to Route 17?



Bicycle & pedestrian facilities: 43% of respondents are likely (likely or very likely) to utilize bicycle and pedestrian facilities if they linked commercial and residential areas, whereas 39% of respondents are unlikely (unlikely or very unlikely) to utilize this. A larger percentage of younger respondents are unlikely (46%) to utilize this in comparison to older respondents. Similarly, middle-income respondents are less likely to utilize this (42%) in comparison to low and high-income respondents.

Q17: How likely would you be to utilize bicycle and pedestrian facilities if they linked commercial and residential areas?



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Summary of Findings

Summary

| Overall Experience Living in Gloucester County | Employment in Gloucester County | Housing in Gloucester County |
|---|---|--|
| <u>Overall experience</u> 51% improved or stayed the same 41% decline | <u>Work Outside Gloucester County</u> 46% work outside Gloucester, primarily for higher wages | <u>Residential Growth</u> 51% Too fast 39% About right 10% Too slow |
| <u>Top Characteristics of Gloucester County</u> #1 Rural Small-town feeling #2 Sense of overall safety | <u>Top Business & Employment Growth Need</u> #1 Tourism and recreation #2 Commercial and retail | <u>Adequate affordable housing</u> 26% enough affordable housing 52% not enough affordable housing |

Summary

| Housing in Gloucester County | Route 17 and Transportation Options |
|--|--|
| <p><u>Top new types of housing</u></p> <ul style="list-style-type: none">#1 Single-family homes#2 A mix of single-family, townhouses/condominiums & apartments | <p><u>Top issue with Route 17 Corridor</u></p> <ul style="list-style-type: none">#1 Traffic congestion#2 Safety |
| <p><u>Factors for future growth & development</u></p> <ul style="list-style-type: none">#1 Preserving agriculture and forest land#2 Preserving natural resources and open space | <p><u>Purchasing Private Property for an Alternative to Route 17</u></p> <p>43% likely support 34% unlikely support</p> |



BOARD AGENDA ITEM

TYPE OF AGENDA ITEM:

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PURPOSE OF ITEM:

- INFORMATION / DISCUSSION
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 - Resolution
 - Ordinance
 - Motion

PRESENTER: Anne Ducey-Ortiz, AICP **TITLE:** Director of Planning, Zoning & Env. Programs

AGENDA TITLE: Planning for the Comprehensive Plan Update

BACKGROUND / SUMMARY: The Code of Virginia (Section 15.2-2223) requires the Planning Commission to prepare and recommend a comprehensive plan to the Board of Supervisors and Section 15.2-2230 requires that the Planning Commission review the plan at least once every five years to determine whether it is advisable to amend the plan. The most recent Comprehensive Plan (Plan) was adopted on February 2, 2016, with Appendix J, pertaining to Public Service Corporations and Public Utilities, adopted on September 6, 2022. With the completion of the Zoning Ordinance Update, which was based on the 2016 plan, and the public input received during those public hearings as well as from other hearings on various projects and proposals, staff and the Planning Commission feel it is time to update the current Plan. The Planning Commission wanted to meet with the Board of Supervisors to get input and direction prior to initiating the plan update or amendments. Staff prepared a general outline of what we see as a potential multi-year process using current staff with some potential for additional help from consultants for certain aspects of the planning process. We look forward to discussion and input from both the Board and the Planning Commission on the planning process.

ATTACHMENTS:

- Staff Outline for 2045 Comprehensive Plan
- State Code Requirements for Comprehensive Plan

REQUESTED ACTION: NO ACTION REQUESTED

Discussion of the Comprehensive Plan planning process – input on process, content, public outreach and other aspects of the planning process.

FOR MORE INFORMATION:

Name: Anne Ducey-Ortiz

Phone: 804-693-1224

Email: aducey@gloucesterva.info

2045 Comprehensive Plan

Joint BOS / PC Meeting

Purpose:

- To preserve what we value about our community. “One of the main reasons that people engage in planning for a community is to protect what they value about it.”
- To ensure the health, safety, and welfare of Gloucester County citizens and business.
- To guide future growth and development in a sustainable and deliberate manner.

Need:

- Per state code Comp Plans must be reviewed every 5 years.
- Current future land use map may not represent what is desired or feasible based on the community’s infrastructure

Vital Elements for Success:

- Engagement of all stakeholders during the process
- Clear community vision as a whole and for each topic area.

Plan of Action (Approximate 3-4 year process) – Update will be done in-house based on limited funds. We may hire consultants to assist with certain aspects.

1. Phase 1 – Kickoff and Organization (3-6 months)
 - a. Key stakeholder interviews – identify areas of interest and
 - i. BOS members
 - ii. PC members
 - iii. Administration
 - iv. MPPDC
 - v. HRTPO/HRPDC
 - vi. Adjacent communities (York, Mathews, Essex, King and Queen)
 - vii. Military
 - viii. RCC

- b. Establishment of a steering committee
 - i. Elected officials/Planning Commission
 - ii. County department representatives (Comm engagement, Utilities, Engineering, PR&T, GIS, Schools, etc.)
 - iii. Community representatives (Bay Transit/Bay Aging, Social Services, Resource Council, MSPT, State and National Park reps, etc.)
 - iv. Citizens groups (Ruritan/Rotary clubs)
 - v. Businesses (Chamber of Commerce/EDA)
- c. Identify all the state requirements for a comprehensive plan. Affordable housing, coastal resiliency, transportation items, Chesapeake Bay Act, etc. (print out state code section of requirements). plan is reviewed by FEMA, VDOT, DEQ

2. Phase 2 – Existing Conditions Analysis (6-12 months)

- a. Data Gathering/Analysis - Interviews will be conducted with various department heads to assist in the update of the community infrastructure (facilities and services) section. From those discussions a list of information needed from each department to complete the update will be developed and provided to department representatives to gather.
 - i. Past community studies that are still valid
 - ii. Land Use Patterns
 - 1. Map existing land uses and identify areas for potential development, redevelopment, or protection (key features that define our community we want to preserve/enhance) Assessor’s office example
 - 2. understanding that even with a no-change scenario things are going to change overtime – there is growth capacity if nothing changes to zoning)
 - iii. Utilities – public water and sewer
 - iv. Broadband
 - v. Energy planning (potential consultant)
 - vi. Parks, Recreation, and Tourism facilities

- vii. Transportation network potential consultant to assist with transportation planning
 - 1. Evaluate existing transportation infrastructure, traffic patterns, and accessibility issues
 - viii. Economic Analysis – potential consultant or previously performed studies
 - 1. Assess the current economic conditions, employment trends, and major industries
 - ix. Housing
 - 1. Analyze housing stock and trends (affordable housing – consultant?)
 - x. Schools
 - 1. Evaluate current school capacity and projected capacity, needs for facilities
 - xi. Cultural and natural resources
 - 1. Analyze natural resources, sensitive areas, and potential environmental impacts
 - 2. Historic resources (national, state, and local)
 - xii. Population
 - 1. Analyze current population trends, demographics and projected future growth
3. Phase 3 – Community Visioning – based on the analysis performed, what is the community’s future vision (3-6 months) potential consultant to assist with community visioning (online survey tool / story boards) “communication plan”
- a. Community visioning – go out to the community like a roadshow – meet them where they are (civic leagues, civic clubs, festivals, etc.)
 - i. Present summary of phase 2 analysis to establish a common foundation of existing conditions (present findings in a story board available for viewing)
 - ii. Engage the community in visioning through the following tools
 - 1. Visual preference survey
 - 2. Mapping exercises
 - a. Identify the areas they cherish, areas that need improvement, etc.

3. Begin to identify goals and objectives for each focus area
(understanding that even with a no-change scenario things are going to change overtime – there is growth capacity if nothing changes to zoning)
 - a. Land use
 - b. Housing
 - c. Transportation
 - d. Economic development
 - e. Parks, Rec and Tourism
 - f. Utilities
 - g. Schools
 - h. Cultural and Natural Resources
- b. Summarize findings and for review / input (are we on the right path, is consensus forming)
4. Phase 4 – Policy Development and Strategies – Steering committee and staff (9 months)
 - a. Identify policies and strategies
 - i. Land use policies – determine desired future land use patterns
 - ii. Housing policies – address housing needs identified (affordability, diverse housing stock)
 - iii. Transportation policies – develop policies to improve mobility options, bike/ped, public transit, traffic management, alternative routes, etc.
 - iv. Economic Development policies – strategies to attract businesses we want, support our current businesses, and foster appropriate economic growth
 - v. Public infrastructure policies -
 - vi. Environmental sustainability policies – establish policies to protect natural and cultural resources and mitigate sea level rise impacts
 - b. Vet policies w/ department heads/ stakeholders – to identify what would be involved to do it / is it feasible? Adjust as needed.
5. Phase 5 - Community Vetting and Input on policies / strategies (implementation action items) (6 months)
 - a. Are the proposed policies in line with the community’s vision for the future? And... what are some implementation action items to support the policies in each area?

potential consultant to assist with community vetting and input (online tools / story boards) “communication plan”

6. Phase 6 - Implementation Plan development (6 months)
 - a. Create a detailed implementation plan with assigned responsibilities, timelines, and funding sources based on the strategies identified in phase 5.
 - b. Vet through key stakeholders for concurrence.
 - c. Ensure all strategies support and are tied to our community vision and specific area vision/goal.
7. Phase 7 - Finalization and Adoption (6 months)

Code of Virginia

Title 15.2. Counties, Cities and Towns

Chapter 22. Planning, Subdivision of Land and Zoning

Article 3. The Comprehensive Plan.

§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose.

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

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

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

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

2. The transportation plan shall include a map that shall show road and transportation improvements including the cost estimates of such road and transportation improvements from the Virginia Department of Transportation, taking into account the current and future needs of residents in the

locality while considering the current and future needs of the planning district within which the locality is situated.

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

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

5. The locality shall submit a copy of the adopted transportation plan or any amendment to the transportation plan to the Department for informational purposes. If the Department determines that the transportation plan or amendment is not consistent with the provisions of subdivision 1, the Department shall notify the Commonwealth Transportation Board so that the Board may take appropriate action in accordance with subsection F of § 33.2-214.

6. If the adopted transportation plan designates corridors planned to be served by mass transit, as defined in § 33.2-100, a portion of its allocation from (i) the Northern Virginia Transportation Authority distribution specified in subdivision B 1 of § 33.2-2510, (ii) the commercial and industrial real property tax revenue specified in § 58.1-3221.3, and (iii) the secondary system road construction program, as described in Article 5 (§ 33.2-351 et seq.) of Chapter 3 of Title 33.2, may be used for the purpose of utility undergrounding in the planned corridor, if the locality matches 100 percent of the state allocation.

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

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

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

2. The designation of a system of community service facilities such as parks, sports playing fields, forests, schools, playgrounds, public buildings and institutions, hospitals, nursing homes, assisted living

facilities, community centers, waterworks, sewage disposal or waste disposal areas, and the like;

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

4. The designation of areas for the implementation of reasonable measures to provide for the continuous availability, quality, and sustainability of groundwater and surface water;

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

6. The location of existing or proposed recycling centers;

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

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

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

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

F. The comprehensive plan is encouraged to consider strategies to address resilience. As used in this subsection, "resilience" means the capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, health, the economy, and the environment.

1975, c. 641, § 15.1-446.1; 1976, c. 650; 1977, c. 228; 1988, c. 268; 1989, c. 532; 1990, c. 19; 1993, cc. 116, 758; 1996, cc. 585, 600; 1997, c. 587; 2003, c. 811; 2004, cc. 691, 799; 2005, cc. 466, 699; 2006, cc. 527, 564; 2007, c. 761; 2012, cc. 729, 733; 2013, cc. 561, 585, 646, 656; 2014, cc. 397, 443; 2018, cc. 420, 691, 796, 828; 2023, cc. 353, 354, 424.

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

A. For purposes of this section:

"Commercial" means property devoted to usual and customary business purposes for the sale of goods and services and includes, but is not limited to, retail operations, hotels, motels and offices.

"Commercial" does not include residential dwelling units, including apartments and condominiums, or agricultural or forestal production, or manufacturing, processing, assembling, storing, warehousing, or distributing.

"Commission" means the Commission on Local Government.

"Developable acreage," solely for the purposes of calculating density within the urban development area means land that is not included in (i) existing parks, rights-of-way of arterial and collector streets,

railways, and public utilities and (ii) other existing public lands and facilities.

"Population growth" means the difference in population from the next-to-latest to the latest decennial census year, based on population reported by the United States Bureau of the Census. In computing its population growth, a locality may exclude the inmate population of any new or expanded correctional facility that opened within the time period between the two censuses.

"Urban development area" means an area designated by a locality that is (i) appropriate for higher density development due to its proximity to transportation facilities, the availability of a public or community water and sewer system, or a developed area and (ii) to the extent feasible, to be used for redevelopment or infill development.

B. Any locality may amend its comprehensive plan to incorporate one or more urban development areas.

1. Urban development areas are areas that may be appropriate for development at a density on the developable acreage of at least four single-family residences, six townhouses, or 12 apartments, condominium units, or cooperative units per acre, and an authorized floor area ratio of at least 0.4 per acre for commercial development, any proportional combination thereof, or any other combination or arrangement that is adopted by a locality in meeting the intent of this section.

2. The urban development areas designated by a locality may be sufficient to meet projected residential and commercial growth in the locality for an ensuing period of at least 10 but not more than 20 years, which may include phasing of development within the urban development areas. Where an urban development area in a county with the urban county executive form of government includes planned or existing rail transit, the planning horizon may be for an ensuing period of at least 10 but not more than 40 years. Future residential and commercial growth shall be based on official estimates of either the Weldon Cooper Center for Public Service of the University of Virginia, the Virginia Employment Commission, the United States Bureau of the Census, or other official government projections required for federal transportation planning purposes.

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

4. The boundaries of each urban development area shall be identified in the locality's comprehensive plan and shall be shown on future land use maps contained in such comprehensive plan.

5. Urban development areas, if designated, shall incorporate principles of traditional neighborhood design, which may include but need not be limited to (i) pedestrian-friendly road design, (ii) interconnection of new local streets with existing local streets and roads, (iii) connectivity of road and pedestrian networks, (iv) preservation of natural areas, (v) mixed-use neighborhoods, including mixed housing types, with affordable housing to meet the projected family income distributions of future residential growth, (vi) reduction of front and side yard building setbacks, and (vii) reduction of subdivision street widths and turning radii at subdivision street intersections.

6. The comprehensive plan shall describe any financial and other incentives for development in the urban development areas.

7. A portion of one or more urban development areas may be designated as a receiving area for any transfer of development rights program established by the locality.

C. No locality that has amended its comprehensive plan in accordance with this section shall limit or prohibit development pursuant to existing zoning or shall refuse to consider any application for rezoning based solely on the fact that the property is located outside the urban development area.

D. Localities shall consult with adjacent localities, as well as the relevant planning district commissioner and metropolitan planning organization, in establishing the appropriate size and location of urban development areas to promote orderly and efficient development of their region.

E. Any county that amends its comprehensive plan pursuant to subsection B may designate one or more urban development areas in any incorporated town within such county, if the council of the town has also amended its comprehensive plan to designate the same areas as urban development areas with at least the same density designated by the county. However, if a town has established an urban development area within its corporate boundaries, the county within which the town is located shall not include the town's projected population and commercial growth when initially determining or reexamining the size and boundary of any other urban development area within the county.

F. To the extent possible, federal, state and local transportation, housing, water and sewer facility, economic development, and other public infrastructure funding for new and expanded facilities shall be directed to designated urban development areas or to such similar areas that accommodate growth in a manner consistent with this section.

2007, c. 896; 2009, c. 327; 2010, cc. 465, 528; 2011, c. 561; 2012, cc. 192, 518, 805, 836.

§ 15.2-2223.2. Comprehensive plan to include coastal resource management guidance.

Beginning in 2013, any locality in Tidewater Virginia, as defined in § 62.1-44.15:68, shall incorporate the guidance developed by the Virginia Institute of Marine Science pursuant to subdivision 9 of § 28.2-1100 into the next scheduled review of its comprehensive plan. The Department of Conservation and Recreation, Virginia Marine Resources Commission, and the Virginia Institute of Marine Science shall provide technical assistance to any such locality upon request.

2011, c. 885.

§ 15.2-2223.3. Comprehensive plan shall incorporate strategies to combat projected sea-level rise and recurrent flooding.

Beginning July 1, 2015, any locality included in the Hampton Roads Planning District Commission shall incorporate into the next scheduled and all subsequent reviews of its comprehensive plan strategies to combat projected relative sea-level rise and recurrent flooding. Such review shall be coordinated with the other localities in the Hampton Roads Planning District Commission. The Department of Conservation and Recreation, the Department of Emergency Management, the Marine Resources Commission, Old Dominion University, and the Virginia Institute of Marine Science shall provide technical assistance to any such locality upon request. Where federal regulations as effective July 1, 2015 require a local hazard mitigation plan for participation in the Federal Emergency Management Agency (FEMA) National Flood Insurance Program, such a plan may also be incorporated into the

comprehensive plan. For a locality not participating in the FEMA Community Rating System, the comprehensive plan may include an action plan and time frame for such participation.

2015, c. 186.

§ 15.2-2223.4. Comprehensive plan shall provide for transit-oriented development.

Beginning July 1, 2020, each city with a population greater than 20,000 and each county with a population greater than 100,000 shall consider incorporating into the next scheduled and all subsequent reviews of its comprehensive plan strategies to promote transit-oriented development for the purpose of reducing greenhouse gas emissions through coordinated transportation, housing, and land use planning. Such strategies may include (i) locating new housing development, including low-income, affordable housing, in closer proximity to public transit options; (ii) prioritizing transit options with reduced overall carbon emissions; (iii) increasing development density in certain areas; (iv) reducing, modifying, or waiving local parking requirements or ratios; or (v) other strategies designed to reduce overall carbon emissions in the locality.

2020, c. 14; 2021, Sp. Sess. I, c. 412.

§ 15.2-2223.5. Comprehensive plan shall address manufactured housing.

During an amendment of a locality's comprehensive plan after July 1, 2021, the locality shall incorporate into its comprehensive plan strategies to promote manufactured housing as a source of affordable housing. Such strategies may include (i) the preservation of existing manufactured housing communities, (ii) the creation of new manufactured home communities, and (iii) the creation of new manufactured home subdivisions.

2021, Sp. Sess. I, cc. 91, 92.

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

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

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

However, if a locality chooses not to survey and study historic areas, then the locality shall include historic areas in the comprehensive plan, if such areas are identified and surveyed by the Department of Historic Resources. Furthermore, if a locality chooses not to survey and study mineral resources, then the locality shall include mineral resources in the comprehensive plan, if such areas are identified and

surveyed by the Department of Energy. The requirement to study the production of food and fiber shall apply only to those plans adopted on or after January 1, 1981.

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

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

1. An official map;
2. A capital improvements program;
3. A subdivision ordinance;
4. A zoning ordinance and zoning district maps;
5. A mineral resource map;
6. A recreation and sports resource map; and
7. A map of dam break inundation zones.

Code 1950, § 15-964.1; 1962, c. 407, § 15.1-447; 1975, c. 641; 1977, c. 228; 1980, c. 322; 1981, c. 418; 1988, c. 438; 1990, c. 97; 1991, c. 280; 1993, cc. 758, 770; 1996, cc. 585, 600; 1997, c. 587; 2006, c. 564; 2007, c. 761; 2008, c. 491; 2018, cc. 420, 691; 2021, Sp. Sess. I, c. 532.

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

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. Inadvertent failure to post information on a website in accordance with this section shall not invalidate action taken by the local planning commission following notice and public hearing as required herein.

Code 1950, §§ 15-908, 15-921, 15-922, 15-964.2, 15-964.3; 1958, c. 389; 1962, c. 407, §§ 15.1-448, 15.1-449; 1968, c. 735; 1975, c. 641; 1976, c. 642; 1997, c. 587; 2009, c. 605.

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

After certification of the plan or part thereof, the governing body shall post the comprehensive plan or part thereof certified by the local planning commission 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 90 days of the local planning commission's recommending resolution; however, if a comprehensive plan amendment is initiated by the locality for more than 25 parcels, the governing body shall act within 150 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. Inadvertent failure to post information on a website in accordance with this section shall not invalidate action taken by the governing body following notice and public hearing as required herein.

Code 1950, § 15-964.4; 1962, c. 407, § 15.1-450; 1975, c. 641; 1976, c. 642; 1997, c. 587; 2000, c. 893; 2009, c. 605; 2020, cc. 132, 760.

§ 15.2-2227. Return of plan to local planning commission; resubmission.

If the governing body disapproves the plan, then it shall be returned to the local planning commission for its reconsideration, with a written statement of the reasons for its disapproval.

The commission shall have sixty days in which to reconsider the plan and resubmit it, with any change to the governing body.

Code 1950, § 15-964.5; 1962, c. 407, § 15.1-451; 1997, c. 587.

§ 15.2-2228. Adoption of parts of plan.

As the work of preparing the comprehensive plan progresses, the local planning commission may, from time to time, recommend, and the governing body approve and adopt, parts thereof. Any such part shall cover one or more major sections or divisions of the locality or one or more functional matters.

Code 1950, §§ 15-906, 15-921, 15-964.6; 1958, c. 389; 1962, c. 407, § 15.1-452; 1997, c. 587.

§ 15.2-2229. Amendments.

After the adoption of a comprehensive plan, all amendments to it shall be recommended, and approved and adopted, respectively, as required by § 15.2-2204. If the governing body desires an amendment, it may prepare such amendment and refer it to the local planning commission for public hearing or direct the local planning commission to prepare an amendment and submit it to public hearing within 60 days or such longer timeframe as may be specified after written request by the governing body. In acting on any amendments to the plan, the governing body shall act within 90 days of the local planning commission's recommending resolution; however, if a comprehensive plan amendment is initiated by the locality for more than 25 parcels, the governing body shall act within 150 days of the local planning

commission's recommending resolution. If the local planning commission fails to make a recommendation on the amendment within the aforesaid timeframe, the governing body may conduct public hearing, which shall be advertised as required by § 15.2-2204.

Code 1950, §§ 15-908, 15-921, 15-964.7; 1958, c. 389; 1962, c. 407, § 15.1-453; 1975, c. 641; 1997, c. 587; 2000, c. 893; 2010, c. 821; 2020, cc. 132, 760.

§ 15.2-2230. Plan to be reviewed at least once every five years.

At least once every five years the comprehensive plan shall be reviewed by the local planning commission to determine whether it is advisable to amend the plan.

Code 1950, § 15-964.8; 1962, c. 407, § 15.1-454; 1975, c. 641; 1997, c. 587.

§ 15.2-2230.1. Public facilities study.

In addition to reviewing the comprehensive plan, the planning commission may make a study of the public facilities, including existing facilities, which would be needed if the comprehensive plan is fully implemented. The study may include estimations of the annual prospective operating costs for such facilities and any revenues, including tax revenues, that may be generated by such facilities. For purposes of the study, public facilities may include but need not be limited to water and sewer lines at treatment plants, schools, public safety facilities, streets and highways. The planning commission may forward the study to the local governing body or any other local, regional, state or federal agency that the planning commission believes might benefit from its findings. The study shall also be forwarded to any utility companies or franchised cable operators that may be impacted by such public facilities. The utility companies, the franchised cable operators, and the locality shall cooperate and coordinate in the relocation of such utilities and cable lines as may be appropriate to avoid unnecessary delays in the construction of public facilities and capital projects by the affected localities, consistent with the service obligations of the utility companies and franchised cable operators. For purposes of this section, the term "utility company" shall not include a municipal utility that operates outside its locality's boundaries.

1998, c. 609; 2012, c. 553.

§ 15.2-2231. Inclusion of incorporated towns in county plan; inclusion of adjacent unincorporated territory in municipal plan.

Any county plan may include planning of incorporated towns to the extent to which, in the county local planning commission's judgment, it is related to planning of the unincorporated territory of the county as a whole. However, the plan shall not be considered as a comprehensive plan for any incorporated town unless recommended by the town commission, if any, and adopted by the governing body of the town.

Any municipal plan may include the planning of adjacent unincorporated territory to the extent to which, in the municipal local planning commission's judgment, it is related to the planning of the incorporated territory of the municipality. However, the plan shall not be considered as a comprehensive plan for such unincorporated territory unless recommended by the county commission and approved and adopted by the governing body of the county.

Code 1950, §§ 15-922, 15-964.9; 1962, c. 407, § 15.1-455; 1997, c. 587.

§ 15.2-2232. Legal status of plan.

A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection A, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by § 15.2-2204. Following the adoption of the Statewide Transportation Plan by the Commonwealth Transportation Board pursuant to § 33.2-353 and written notification to the affected local governments, each local government through which one or more of the designated corridors of statewide significance traverses, shall, at a minimum, note such corridor or corridors on the transportation plan map included in its comprehensive plan for informational purposes at the next regular update of the transportation plan map. Prior to the next regular update of the transportation plan map, the local government shall acknowledge the existence of corridors of statewide significance within its boundaries.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the commission to the governing body within 10 days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the governing body shall overrule the commission.

C. Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public service corporations shall not require approval unless such work involves a change in location or extent of a street or public area.

D. Any public area, facility, park or use as set forth in subsection A which is identified within, but not the entire subject of, a submission under either § 15.2-2258 for subdivision or subdivision A 8 of § 15.2-2286 for development or both may be deemed a feature already shown on the adopted master plan, and therefore, excepted from the requirement for submittal to and approval by the commission or the governing body, provided that the governing body has by ordinance or resolution defined standards governing the construction, establishment or authorization of such public area, facility, park or use or has approved it through acceptance of a proffer made pursuant to § 15.2-2303.

E. Approval and funding of a public telecommunications facility on or before July 1, 2012, by the Virginia Public Broadcasting Board pursuant to Article 12 (§ 2.2-2426 et seq.) of Chapter 24 of Title 2. or after July 1, 2012, by the Board of Education pursuant to § 22.1-20.1 shall be deemed to satisfy the requirements of this section and local zoning ordinances with respect to such facility with the exception of television and radio towers and structures not necessary to house electronic apparatus. The exemption provided for in this subsection shall not apply to facilities existing or approved by the Virginia Public Telecommunications Board prior to July 1, 1990. The Board of Education shall notify the governing body of the locality in advance of any meeting where approval of any such facility shall be acted upon.

F. On any application for a telecommunications facility, the commission's decision shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within 90 days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than 60 additional days. If the commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the commission.

G. A proposed telecommunications tower or a facility constructed by an entity organized pursuant to Chapter 9.1 (§ 56-231.15 et seq.) of Title 56 shall be deemed to be substantially in accord with the comprehensive plan and commission approval shall not be required if the proposed telecommunication tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right.

H. A solar facility subject to subsection A shall be deemed to be substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right; (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under § 56-594 or 56-594.01 or by a small agricultural generator under § 56-594.2; or (iii) the locality waives the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan. All other solar facilities shall be reviewed for substantial accord with the comprehensive plan in accordance with this section. However, a locality may allow for a substantial accord review for such solar facilities to be advertised and approved concurrently in a public hearing process with a rezoning, special exception, or other approval process.

Code 1950, §§ 15-909, 15-923, 15-964.10; 1958, c. 389; 1960, c. 567; 1962, c. 407, § 15.1-456; 1964, c. 528; 1966, c. 596; 1968, c. 290; 1975, c. 641; 1976, c. 291; 1978, c. 584; 1982, c. 39; 1987, c. 312; 1989, c. 532; 1990, c. 633; 1997, cc. 587, 858; 1998, c. 683; 2007, c. 801; 2009, cc. 670, 690; 2012, cc. 803, 835; 2016, c. 613; 2018, cc. 175, 318; 2020, c. 665; 2022, c. 181.

2/14/20

Code of Virginia

Title 15.2. Counties, Cities and Towns

Chapter 22. Planning, Subdivision of Land and Zoning

Article 4. The Official Map.

§ 15.2-2233. Maps to be prepared in localities; what map shall show.

In localities where no official map exists, or where an existing official map is incomplete, the local planning 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 locality; 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 the street, the course of the waterway, or the metes and bounds of the 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 planning 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 the map. When an application for a building permit is made to a locality for an area shown on the official map as a future or proposed right-of-way, the locality shall have sixty days to either grant or deny the building permit. If the permit is denied for the sole purpose of acquiring the property, the locality has 120 days from the date of denial to acquire the property, either through negotiation or by filing condemnation proceedings. If the locality has not acted within the 120 day period, the building permit shall be issued to the applicant provided all other requirements of law have been met.

Code 1950, § 15-965; 1962, c. 407, § 15.1-458; 1976, c. 619; 1988, c. 436; 1995, c. 264; 1997, c. 587.

§ 15.2-2234. Adoption; filing in office of clerk of court.

After the official map has been prepared and recommended by the local planning commission it shall be certified by the commission to the governing body of the locality. The governing body may then approve and adopt the map by a majority vote of its membership and publish it as the official map of the locality. No official map shall be adopted by the governing body or have any effect until approved by ordinance duly passed by the governing body of the locality after a public hearing, preceded by public notice as required by § 15.2-2204.

Within thirty days after adoption of the official map the governing body shall cause it to be filed in the office of the clerk of the circuit court.

Code 1950, § 15-965.1; 1962, c. 407, § 15.1-459; 1997, c. 587.

§ 15.2-2235. Additions and modifications.

The governing body may by ordinance make, from time to time, other additions to or modifications of the official map by placing thereon the location of any proposed street, street widening, street vacatio waterway, impounding structures and their dam break inundation zones, or public area in accordance with the procedures applicable to the locality.

Prior to making any such additions or modifications to the official map, the governing body shall refer the additions or modifications to the local planning commission for its consideration. The commission shall take action on the proposed additions or modifications within sixty days and report its recommendations to the governing body.

Upon receipt of the report of the commission, the governing body shall hold a public hearing on the proposed addition or modification to the official map and shall give notice of the hearing in accordance with § 15.2-2204. All such reports of the commission, when delivered to the governing body, shall be available for public inspection.

Any ordinance embodying additions to or modifications of the official map shall be adopted by at least the vote required for original adoption of the official map. After the public hearing and the final passage of such ordinance, the additions or modifications shall become a part of the official map of the locality. All changes, additions or modifications of the official map shall be filed with the clerk of the court as provided in § 15.2-2234.

Code 1950, § 15-965.2; 1962, c. 407, § 15.1-460; 1988, c. 436; 1997, c. 587; 2008, c. 491.

§ 15.2-2236. Periodic review and readoption.

The official map and any additions thereto or modifications thereof shall be reviewed within five years from the date of adoption or readoption of the map by the governing body. The procedure by the local planning commission and the governing body in connection with the review shall conform to that prescribed as to original adoption of the map. Neither the official map nor any additions thereto or modifications thereof shall be of any force or effect for more than five years after adoption or readoption of the map unless readopted by the governing body.

Code 1950, § 15-965; 1962, c. 407, § 15.1-461; 1997, c. 587.

§ 15.2-2237. Consultation with Commonwealth Transportation Board; copies of map and ordinance to be sent to Commonwealth Transportation Board.

During the preparation of an official map the local planning commission shall consult with the Commonwealth Transportation Board or its local representative as to any streets under the jurisdiction of the Board, and prior to recommendation of the map to the governing body it shall submit the map to the Board for comment. Any recommendations of the Board, not incorporated in the official map, shall be forwarded to the governing body when the map is recommended by the commission. When any locality has adopted an official map in accordance with the terms of this chapter a certified copy of the map and ordinance adopting it shall be sent to the Board.

Code 1950, § 15-965.4; 1962, c. 407, § 15.1-462; 1988, c. 436; 1997, c. 587.


§ 15.2-2238. Authority of counties under Article 2 (§ 33.2-705 et seq.) of Chapter 7 not affected

The provisions of this article shall not affect the exercise of the authority contained in Article 2 (§ 33.2-705 et seq.) of Chapter 7 by counties that have withdrawn their roads from the secondary state highway system.

Code 1950, § 15-965.5; 1962, c. 407, § 15.1-463; 1997, c. 587.

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 For Developers

The Virginia Law website data is available via a web service. 