

Major Provisions in UDA Legislation HB1071/Atthey and SB420/Vogel

- Localities that have up to 50,000 persons would have to create UDA's with a residential density of at least four single-family homes, six townhomes or twelve multi-family units per acre and an authorized commercial density of 0.4 FAR. For localities in excess of 50,000 persons, those densities would increase to eight single single-family homes, twelve townhomes or twenty-four multi-family units per acre and an authorized commercial density of at least 0.8 FAR. Currently, the law only requires that UDA's allow for four single-family units per acre and a minimum of 0.4 FAR. The criteria for being required to designate a UDA (1. Population exceeds 20,000 and at least 5% Census-to-census population growth OR 2. 15% Census-to-Census population growth) remain unchanged.
- Developable acres would include all acreage in an area minus land used for public facilities (e.g. streets, parks) or public utilities. This is important as the number units that a developer can include in a project is mathematically dependent on the amount of developable acres. A favorite tactic of the anti-growth crowd is to get as much land as possible excluded from developable acreage and drive down the number of units in a given project, thereby leading to the very sprawl these advocates piously claim to oppose. This legislation rightfully sets in place a tight, clear definition of developable acres.
- UDA's would serve as receiving areas under any Transfer of Development Rights (TDR) plan approved by the locality.
- This legislation would promote regional dialogue and coordination among localities in the sizing, scoping and placement of their respective UDA's, and it would clarify the manner in which towns and counties account for future growth in shared UDA's.
- The Commission on Local Government would be the state entity charged with assessing compliance among Virginia's localities.