WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1962

ENROLLED
Committee Substitute for
SENATE BILL NO. 10

(By Mr..............................................................)

PASSED.........................................................1962

Ninety Days
In Effect.......................................................Passage

Filed in Office of the Secretary of State
of West Virginia............................................1962

JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section sixteen, article five, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating generally to comprehensive plans by cities and counties for planning and zoning.

Be it enacted by the Legislature of West Virginia:

That section sixteen, article five, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 16. Comprehensive Plan; Generally.—A planning commission shall make and recommend for adoption
to the governing body of the city or the county court, as the case may be, a comprehensive plan for the physical development of the territory within its jurisdiction. Any county plan may include the planning of incorporated towns to the extent to which, in the commission's judgment, they are related to the planning of the unincorporated territory of the county as a whole: Provided, however, That the plan shall not be considered as a comprehensive plan for any incorporated town without the consent of the planning commission and the governing body of such incorporated town: And provided further, That the county plan shall be coordinated with the plans of the state road commission, insofar as it relates to highways or thoroughfares under the jurisdiction of that commission. A county planning commission may prepare, and the county court is authorized and empowered to adopt, a comprehensive plan and zoning ordinance for either the entire county, or for any part or parts thereof which constitute an effective region or regions for planning and zoning purposes without the necessity of adopting a plan and ordinance for any other part. In determining what
constitutes an effective region or regions for planning and zoning purposes, due consideration shall be given to such factors as population density, health, general welfare, water and sanitation requirements, and future potential for residential, commercial, industrial or public use. The procedure for the preparation and adoption of a comprehensive plan and zoning ordinance for a part of such county shall be the same as the procedure for the preparation and adoption of a plan and ordinance for the entire county, except that the election provided in section forty-eight of this article shall be restricted to the electors residing within the part or parts affected.

The comprehensive plan, with the accompanying maps, plats, charts and descriptive and explanatory matter, shall show recommendations for the development of the territory covered by the plan and may include, among other things, the general location, character and extent of streets or roads, viaducts, bridges, waterways and waterfront developments, parkways, playgrounds, forests, reservations, parks, airports and other public ways, grounds, places and spaces; the general location and extent of pub-
licly owned utilities and terminals, and other purposes;
the acceptance, widening, removal, extension, relocation,
narrowing, vacation, abandonment or change of use of
any of the foregoing public ways, grounds, places, spaces,
buildings, properties, utilities or terminals; the general
class, location and extent of community centers, town
sites or housing development; the general location and
extent of forests, agricultural areas and open-development
areas for the purposes of conservation, food and water
supply, sanitary drainage facilities or the protection of
urban development; a land-classification and utilization
program; the distribution of population, and the uses of
land for trade, industry, habitation, recreation, agriculture, forestry, soil and water conservation and other pur-
poses.

In the preparation of a comprehensive plan, a planning commission shall make careful and comprehensive
surveys and studies of the existing conditions and probable future changes of such conditions within the territory
under its jurisdiction. The comprehensive plan shall be
made with the general purpose of guiding and accom-
lishing a coordinated, adjusted and harmonious de-
velopment of the area which will, in accordance with
present and future needs and resources, best promote the
health, safety, morals, order, convenience, prosperity or
general welfare of the inhabitants, as well as efficiency
and economy in the process of development, including,
among other things, such distribution of population and
of the uses of land for urbanization, trade, industry, habi-
tation, recreation, agriculture, forestry and other pur-
poses as will tend:

1. To create conditions favorable to health, safety, trans-
portation, prosperity, civic activities and recreational,
educational and cultural opportunities;

2. To reduce the wastes of physical, financial or human
resources which result from either excessive congestion or
excessive scattering of population; and

3. Toward the efficient and economic utilization, con-
servation and production of the supply of food and water
and of drainage, sanitary and other facilities and resources.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate. Ninety Days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approve this the 10th day of February, 1962.

Governor