

2000 SESSION

SENATE SUBSTITUTE

003887946

HOUSE BILL NO. 738

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on February 28, 2000)

(Patron Prior to Substitute—Delegate Suit)

*A BILL to allow a city with a population of 350,000 or more to sell an interest in open-space land
without substituting another interest in land, provided that certain conditions are met.*

Be it enacted by the General Assembly of Virginia:

**1. § 1. That a city with a population of 350,000 or more that adopted an agricultural purchase of
development rights program prior to July 1, 1998, may, at the request of the owner of the fee of any
land protected by an open-space easement or other interest in land purchased by the city, sell such
interest to the fee owner for the current full market value of the interest without complying with the
requirement of subsection A of § 10.1-1704 of the Code of Virginia of substituting other real property
for the land converted or diverted, if (i) the conversion or diversion is determined by the city council
to be essential to the orderly development and growth of the locality and in accordance with the city's
current comprehensive plan, (ii) the city determines by ordinance that the open-space land converted
or diverted is no longer needed for open-space purposes and that substitution of other real property is
not feasible, and (iii) no state or federal funds were used in connection with the city's acquisition of
such interest.**

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