

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-2291 of the Code of Virginia, relating to group homes of eight or*
3 *fewer single-family residence.*

4 [H 1463]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 15.2-2291 of the Code of Virginia is amended and reenacted as follows:**

8 § 15.2-2291. Group homes of eight or fewer single-family residence.

9 A. Zoning ordinances for all purposes shall consider a residential facility in which no more than
10 eight mentally ill, mentally retarded, or developmentally disabled persons reside, with one or more
11 resident counselors or other staff persons, as residential occupancy by a single family. For the purposes
12 of this subsection, mental illness and developmental disability shall not include current illegal use of or
13 addiction to a controlled substance as defined in § 54.1-3401. No conditions more restrictive than those
14 imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on
15 such facility. For purposes of this subsection, "residential facility" means any group home or other
16 residential facility for which the Department of Mental Health, Mental Retardation and Substance Abuse
17 Services is the licensing authority pursuant to this Code.

18 B. Zoning ordinances in the Counties of Arlington, ~~Henry~~, and York for all purposes shall consider a
19 residential facility in which no more than eight aged, infirm or disabled persons reside, with one or
20 more resident counselors or other staff persons, as residential occupancy by a single family. No
21 conditions more restrictive than those imposed on residences occupied by persons related by blood,
22 marriage, or adoption shall be imposed on such facility. For purposes of this subsection, "residential
23 facility" means any group home or residential facility in which aged, infirm or disabled persons reside
24 with one or more resident counselors or other staff persons and for which the Department of Social
25 Services is the licensing authority pursuant to this Code.

26 C. Zoning ordinances in the Cities of Lynchburg and Suffolk for all purposes shall consider a
27 residential facility in which no more than four aged, infirm or disabled persons reside, with one or more
28 resident counselors or other staff persons, as residential occupancy by a single family. No conditions
29 more restrictive than those imposed on residences occupied by persons related by blood, marriage or
30 adoption shall be imposed on such facility. For purposes of this subsection, "residential facility" means
31 any group home or residential facility in which aged, infirm or disabled persons reside with one or more
32 resident counselors or other staff persons and for which the Department of Social Services is the
33 licensing authority pursuant to this Code.

ENROLLED

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