

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-2244 of the Code of Virginia, relating to family subdivisions.*

3 [S 230]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 15.2-2244 of the Code of Virginia is amended and reenacted as follows:**

7 § 15.2-2244. Provisions for subdivision of a lot for conveyance to a family member.

8 A. In any county and the City of Suffolk a subdivision ordinance shall provide for reasonable
9 provisions permitting a single division of a lot or parcel for the purpose of sale or gift to a member of
10 the immediate family of the property owner, subject only to any express requirement contained in the
11 Code of Virginia and to any requirement imposed by the local governing body that all lots of less than
12 five acres have reasonable right-of-way of not less than ten feet or more than twenty feet providing
13 ingress and egress to a dedicated recorded public street or thoroughfare. Only one such division shall be
14 allowed per family member, and shall not be for the purpose of circumventing this section. For the
15 purpose of this subsection, a member of the immediate family is defined as any person who is a natural
16 or legally defined offspring, *stepchildren*, spouse, sibling, grandchild, grandparent, or parent of the
17 owner. In addition, any such locality may include aunts, uncles, nieces and nephews in its definition of
18 immediate family.

19 B. Notwithstanding subsection A of this section, in a county having the urban county executive form
20 of government, a subdivision ordinance shall provide for reasonable provisions permitting a single
21 division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the
22 property owner, subject only to any express requirement contained in the Code of Virginia and to any
23 requirement imposed by the local governing body that all lots of less than five acres have frontage of
24 not less than ten feet or more than twenty feet on a dedicated recorded public street or thoroughfare.
25 Only one such division shall be allowed per family member, and the division shall not be for the
26 purpose of circumventing a local subdivision ordinance. For the purpose of this subsection, a member of
27 the immediate family is defined as any person who is a natural or legally defined offspring or parent of
28 the owner.

29 C. Notwithstanding subsections A and B of this section, a subdivision ordinance may include
30 reasonable provisions permitting divisions of lots or parcels for the purpose of sale or gift to a member
31 of the immediate family of the property owner in (i) any county or city which has had population
32 growth of ten percent or more from the next-to-latest to latest decennial census year, based on
33 population reported by the United States Bureau of the Census; (ii) any city or county adjoining such
34 city or county; (iii) any towns located within such county; and (iv) any county contiguous with at least
35 three such counties, and any town located in that county. Such divisions shall be subject to all
36 requirements of the Code of Virginia and to any requirements imposed by the local governing body.