

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 1 of Chapter 22 of Title 15.2 a section*
3 *numbered 15.2-2209.1, relating to land use actions; period of validity.*

4 [H 2077]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 22 of Title 15.2 a**
8 **section numbered 15.2-2209.1 as follows:**

9 *§ 15.2-2209.1. Extension of approvals to address housing crisis.*

10 *A. Notwithstanding the time limits for validity set out in § 15.2-2260 or 15.2-2261, or the provisions*
11 *of subsection F of § 15.2-2260, any subdivision plat valid under § 15.2-2260 and outstanding as of*
12 *January 1, 2009, and any recorded plat or final site plan valid under § 15.2-2261 and outstanding as of*
13 *January 1, 2009, shall remain valid until July 1, 2014, or such later date provided for by the terms of*
14 *the locality's approval, local ordinance, resolution or regulation, or for a longer period as agreed to by*
15 *the locality. Any other plan or permit associated with such plat or site plan extended by this subsection*
16 *shall likewise be extended for the same time period.*

17 *B. Notwithstanding any other provision of this chapter, for any valid special exception, special use*
18 *permit, or conditional use permit outstanding as of January 1, 2009, and related to new residential or*
19 *commercial development, any deadline in the exception permit, or in the local zoning ordinance that*
20 *requires the landowner or developer to commence the project or to incur significant expenses related to*
21 *improvements for the project within a certain time, shall be extended until July 1, 2014, or longer as*
22 *agreed to by the locality. The provisions of this subsection shall not apply to any requirement that a*
23 *use authorized pursuant to a special exception, special use permit, conditional use permit, or other*
24 *agreement or zoning action be terminated or ended by a certain date or within a set number of years.*

25 *C. Notwithstanding any other provision of this chapter, for any rezoning action approved pursuant*
26 *to § 15.2-2297, 15.2-2298, or 15.2-2303, valid and outstanding as of January 1, 2009, and related to*
27 *new residential or commercial development, any proffered condition that requires the landowner or*
28 *developer to incur significant expenses upon an event related to a stage or level of development shall be*
29 *extended until July 1, 2014, or longer as agreed to by the locality. However, the extensions in this*
30 *subsection shall not apply (i) to land or right-of-way dedications pursuant to § 15.2-2297, 15.2-2298, or*
31 *15.2-2303, (ii) when completion of the event related to the stage or level of development has occurred,*
32 *or (iii) to events required to occur on a specified date certain or within a specified time period. Any*
33 *proffered condition included in a special exception, special use permit, or conditional use permit shall*
34 *only be extended if it satisfies the provisions of this subsection.*

35 *D. The extension of validity provided in subsection A and the extension of certain deadlines as*
36 *provided in subsection B shall not be effective unless any performance bonds and agreements or other*
37 *financial guarantees of completion of public improvements in or associated with the proposed*
38 *development are continued in force.*

ENROLLED

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