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SENATE BILL NO. 36

Offered January 11, 2012

Prefiled December 30, 2011

A BILL to amend the Code of Virginia by adding a section numbered 15.2-2303.4, relating to proffered conditions in certain towns.

Patron—Black

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2303.4 as follows:

§ 15.2-2303.4. Notice of application for amendments to and variations of proffered conditions to certain landowners in Town of Leesburg; rights in proffered conditions.

A. Subject to any applicable public notice or hearing requirement of § 15.2-2204 or 15.2-2302 but notwithstanding any other provision of law, in the Town of Leesburg, any landowner subject to conditions proffered pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1 may apply to the town council for amendments to or variations of such proffered conditions, provided only that written notice of such application be provided in the manner prescribed by subsection H of § 15.2-2204 to all landowners subject to such existing proffered conditions. The approval of such an amendment or variation shall not in itself cause the use of any other property to be deemed a nonconforming use.

B. Notwithstanding any other provision of law, no landowner shall possess or enjoy any vested or other property right in any condition proffered pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1 that would preclude the amendment or variation of any proffer pursuant to this section.

INTRODUCED

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