

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; zoning.*

3 [H 527]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 15.2-2291 of the Code of Virginia is amended and reenacted as follows:**7 **§ 15.2-2291. Assisted living facilities and group homes of eight or fewer; single-family residence.**8 A. Zoning ordinances for all purposes shall consider a residential facility in which no more than
9 eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one
10 or more resident ~~counselors~~ or ~~other nonresident~~ staff persons, as residential occupancy by a single
11 family. For the purposes of this subsection, mental illness and developmental disability shall not include
12 current illegal use of or addiction to a controlled substance as defined in § 54.1-3401. No conditions
13 more restrictive than those imposed on residences occupied by persons related by blood, marriage, or
14 adoption shall be imposed on such facility. For purposes of this subsection, "residential facility" means
15 any group home or other residential facility for which the Department of Behavioral Health and
16 Developmental Services is the licensing authority pursuant to this Code.17 B. Zoning ordinances for all purposes shall consider a residential facility in which no more than
18 eight aged, infirm or disabled persons reside, with one or more resident counselors or other staff
19 persons, as residential occupancy by a single family. No conditions more restrictive than those imposed
20 on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such
21 facility. For purposes of this subsection, "residential facility" means any assisted living facility or
22 residential facility in which aged, infirm or disabled persons reside with one or more resident counselors
23 or other staff persons and for which the Department of Social Services is the licensing authority
24 pursuant to this Code.

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