

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 15.2-2244.2, relating to family*
3 *subdivisions of property held in trust.*

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5 Approved

[S 873]

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 15.2-2244.2 as follows:**8 *§ 15.2-2244.2. Subdivision of a lot of property held in trust for a family member.*

9 *In addition to §§ 15.2-2244 and 15.2-2244.1, a locality may include in its subdivision ordinance*
10 *provisions permitting a single division of a lot or parcel for the purpose of sale or gift to a member of*
11 *the immediate family, as defined in § 15.2-2244, of beneficiaries of a trust, of land held in trust. All*
12 *trust beneficiaries must (i) be immediate family members as defined in § 15.2-2244, (ii) agree that the*
13 *property should be subdivided, and (iii) agree to place a restrictive covenant on the subdivided property*
14 *that would prohibit the transfer of the property to a nonmember of the immediate family for a period of*
15 *15 years. Notwithstanding the provisions of clause (iii), a locality may reduce or provide exceptions to*
16 *the period of years prescribed in such clause when changed circumstances so require. Upon such*
17 *modification of a restrictive covenant, a locality shall execute a writing reflecting such modification,*
18 *which writing shall be recorded in accordance with § 17.1-227. The locality may require that the*
19 *subdivided lot is no more than one acre and otherwise meets any other express requirement contained*
20 *in the Code of Virginia or imposed by the local governing body.*

ENROLLED

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