

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 15.2-2209.1:1, relating to local*
3 *land use approvals; extension of approvals to address the COVID-19 pandemic.*

4 [S 5106]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 15.2-2901.1:1 as follows:**8 ***§ 15.2-2209.1:1. Extension of approvals to address the COVID-19 pandemic.***

9 *A. Notwithstanding any time limits for validity set out in § 15.2-2260 or 15.2-2261, any subdivision*
10 *plat valid under § 15.2-2260 and outstanding as of July 1, 2020, and any recorded plat or final site*
11 *plan valid under § 15.2-2261 and outstanding as of July 1, 2020, shall remain valid until July 1, 2022,*
12 *or such later date as may be provided for by the terms of the locality's approval, local ordinance,*
13 *resolution, or regulation. Any other plan or permit associated with such plat or site plan extended by*
14 *this subsection is similarly extended for the same time period.*

15 *B. Notwithstanding any other provision of this chapter, for any valid special exception, special use*
16 *permit, or conditional use permit, or any modifications thereto, outstanding as of July 1, 2020, any*
17 *deadline in the exception permit, or in the local zoning ordinance that requires the landowner or*
18 *developer to commence the project or incur significant expenses related to improvements for the project*
19 *within a certain time, is extended until July 1, 2022, or such longer period as may be agreed to by the*
20 *locality.*

21 *C. Notwithstanding any other provision of this chapter, for any rezoning approved pursuant to*
22 *§ 15.2-2297, 15.2-2298, or 15.2-2303 and valid and outstanding as of July 1, 2020, any proffered*
23 *condition that requires the landowner or developer to incur significant expenses upon the occurrence of*
24 *an event related to a stage or level of development is extended until July 1, 2022, or longer as may be*
25 *agreed to by the locality. However, the extensions in this subsection do not apply (i) to proffered*
26 *dedications of land or rights-of-way pursuant to § 15.2-2297, 15.2-2298, or 15.2-2303 or (ii) when*
27 *completion of the event related to the stage or level of development has already occurred.*

28 *D. The extension of validity provided in subsection A and the extension of deadlines as provided in*
29 *subsection B will be effective only if any unreleased performance bonds and agreements or other*
30 *financial guarantees of completion of public improvements in or associated with the proposed*
31 *development are continued in force. However, if the locality has enacted a bonding moratorium or*
32 *deferral program, the performance bonds and agreements or other financial guarantees of completion*
33 *may be waived or modified by the locality, in which case the provisions of subsections A and B apply.*
34 *The landowner or developer must comply with the terms of any bonding moratorium or deferral*
35 *agreement with the locality in order for the extensions referred to in this subsection to be effective.*

36 **2. Notwithstanding any provision of law, general or special, nothing in this act shall be construed**
37 **to extend any provision of § 15.2-2209.1 of the Code of Virginia.**

ENROLLED

SB5106ER