

**Suggested Statement Prior to Community Meetings to Discuss
Rezoning or Proffer Amendment Applications for New Residential Development and
New Residential Use in Areas of the County that Are Not Exempt from
Virginia Code Section 15.2-2303.4.**

Before we begin the presentation and discussion today, I would like to take this opportunity to acknowledge that I understand that the development that we are here to discuss today may be subject to the restrictions contained in Virginia Code Section 15.2-2303.4, which was enacted into law by the Virginia General Assembly in 2016. One consequence of this law is that it significantly restricts the ability of a locality to discuss proffers because the law states that the mere discussion of certain proffers may lead to significant liability for the County. Of course, any such liability would be paid with taxpayer funds.

Therefore, in an abundance of caution to avoid any liability to the County and in anticipation of your questions and comments at this meeting, I would like to make clear that, because of this law and its potential consequences, we will discuss and consider only the impacts of the proposed development today. None of us will discuss or consider any suggestions or requests for proffers, including any proffers that might address the impacts of the development on the community. Indeed, nothing in our discussion tonight should be construed as a request or suggestion for any proffer.

To be clear, we are happy to help identify the development's expected impacts. We are also happy to listen to the developer's suggestions to mitigate these impacts. Although in the past, the County has had open, collaborative discussions about proffers with developers and the community, Virginia Code Section 15.2-2303.4 now places even our suggestions of proffers at a community meeting like this one in jeopardy of causing significant legal liability for the County. Therefore, we can discuss impacts, but not proffers.

If anyone would like more information or has any questions about Virginia Code Section 15.2-2303.4, County staff is happy to help you to find the new statute on the Commonwealth of Virginia's website so that you may read it for yourself. Thank you.