

# VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

## CHAPTER 331

*An Act to amend and reenact §§ 36-55.64 and 36-85.17 of the Code of Virginia, relating to housing; removal of obsolete provisions; citation correction.*

[H 210]

Approved March 11, 2016

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 36-55.64 and 36-85.17 of the Code of Virginia are amended and reenacted as follows:**

**§ 36-55.64. Creation of local housing rehabilitation zones.**

A. Any city, county, or town may establish, by ordinance, one or more housing rehabilitation zones for the purpose of providing incentives and regulatory flexibility in such zone.

B. The incentives provided in a housing rehabilitation zone may include, but not be limited to (i) reduction of permit fees, (ii) reduction of user fees, and (iii) waiver of tax liens to facilitate the sale of property that will be substantially renovated, rehabilitated or replaced.

C. Incentives established pursuant to this section may extend for a period of up to 10 years from the date of initial establishment of the housing rehabilitation zone; however, the extent and duration of any incentive shall conform to the requirements of applicable federal and state law.

D. The regulatory flexibility provided in a housing rehabilitation zone may include, but not be limited to (i) special zoning for the district, (ii) the use of a special permit process, (iii) exemption from certain specified ordinances, excluding ordinances or provisions of ordinances adopted pursuant to the requirements of the Chesapeake Bay Preservation Act (§ 62.1-44.15:67 et seq.), the Erosion and Sediment Control Law (§ 62.1-44.15:51 et seq.), and the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq.), and (iv) any other incentives adopted by ordinance, which shall be binding upon the locality for a period of up to 10 years.

E. The governing body may establish a service district for the provision of additional public services pursuant to Chapter 24 (§ 15.2-2400 et seq.) of Title 15.2.

F. Each locality establishing a housing rehabilitation zone pursuant to this section may also apply for the designation of a housing revitalization zone pursuant to Chapter 11 (§ ~~36-159~~ 36-157 et seq.) of Title 36. Nothing in this chapter shall preclude such dual designation.

G. Any housing rehabilitation zone established pursuant to this chapter shall be deemed to meet the requirements for designation of housing revitalization eligible to be financed as an economically mixed project pursuant to § 36-55.30:2.

H. This section shall not authorize any local government powers that are not expressly granted herein.

**§ 36-85.17. Manufactured Housing Board created; membership.**

A. There is hereby created the Virginia Manufactured Housing Board within the Department of Housing and Community Development. The Board shall be composed of nine members, *eight of whom shall be nonlegislative citizen members* appointed by the Governor subject to confirmation by the General Assembly *and one of whom shall be the Director, who shall serve ex officio*. The appointed members shall include two manufactured home manufacturers, two manufactured home dealers, ~~the Director~~, and four members representing the public who have knowledge of the industry.

B. The Board shall elect from its members a chairman and a vice-chairman for terms of two years. The members of the Board shall ~~initially be appointed for four-year terms. Upon expiration of the initial terms, one manufacturer, one dealer and two members representing the public shall be appointed for two-year terms while one manufacturer, one dealer and two members representing the public shall be appointed for four-year terms. All appointments thereafter shall be serve for four-year terms of four years.~~ In the event of any vacancy, the Governor shall appoint a replacement to serve the unexpired term. *The ex officio member shall serve a term coincident with his term of office.* Meetings shall be held at the call of the chairman or whenever two members so request.

C. No member of the Board shall participate in any proceeding before the Board involving that member's own business.