

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 499

An Act to amend the Code of Virginia by adding a section numbered 15.2-941.1, relating to abandoned school revitalization zones.

[S 448]

Approved March 29, 2018

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-941.1 as follows:

§ 15.2-941.1. Creation of abandoned school revitalization zones.

A. Any locality may establish by ordinance one or more abandoned school revitalization zones for the purpose of providing incentives to private entities to purchase or develop real property or to assemble parcels suitable for economic development that include an abandoned school site. Each locality establishing an abandoned school revitalization zone may grant incentives and provide regulatory flexibility.

B. The incentives provided for in this section may include, but shall not be limited to, (i) reduction of permit fees, (ii) reduction of user fees, (iii) reduction of any type of gross receipts tax or any other type of local tax as permitted by state law, and (iv) waiver of tax liens to facilitate the sale of property, if deemed appropriate.

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 abandoned school revitalization 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 an abandoned school revitalization zone may include (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 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.).

F. A school located in an abandoned school revitalization zone shall be eligible for participation in the Virginia Shell Building Initiative pursuant to § 15.2-941.

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

H. Prior to adopting or amending any ordinance pursuant to this section, a locality shall provide for notice and public hearing in accordance with subsection A of § 15.2-2204.