

1 AN ORDINANCE TO AMEND AND REORDAIN
2 THE CODE OF THE CITY OF VIRGINIA BEACH,
3 VIRGINIA, BY ADDING CHAPTER 35.4,
4 "TOURISM ZONES" AND TO CREATE THE
5 RESORT TOURISM ZONE
6

7 SECTIONS ADDED: 35.4-1; 35.4-2; 35.4-3; 35.4-
8 4; 35.4-5; 35.4-10; 35.4-11
9

10 WHEREAS, Code of Virginia (1950), as amended, § 58.1-3851 authorizes
11 localities to establish one or more tourism zones; and
12

13 WHEREAS, the City Council desires to promote tourism related business; and
14

15 WHEREAS, the City Council has determined that it would be advantageous and
16 appropriate to establish a Tourism Zone within the City to encourage capital investment
17 and the creation of jobs; and
18

19 WHEREAS, on December 2, 2008, the City Council amended the City
20 Comprehensive Plan to incorporate the Resort Area Strategic Action Plan; and
21

22 WHEREAS, the City Council of the City of Virginia Beach believes that
23 establishing the Resort Area Tourism Zone is in the best interest of the public and is a
24 reasonable exercise of the City's authority to promote general welfare, including
25 commerce and industry of the City and the inhabitants thereof;
26

27 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
28 VIRGINIA BEACH, VIRGINIA:
29

30 That in furtherance of the above-stated desire and intent of the City Council, the
31 Code of the City of Virginia Beach, Virginia is hereby amended and reordained by
32 adding thereto a new Chapter 35.4 to read as follows:
33

34 **CHAPTER 35.4 TOURISM ZONES**
35

36 **ARTICLE I. IN GENERAL**
37

38 **Section 35.4-1. Purpose and intent.**
39

40 The city council of the City of Virginia Beach finds that the development of its
41 tourism related tax base requires the establishment of tourism zones as guided and
42 authorized by section 58.1-3851 of the Code of Virginia. The city council finds that the
43 establishment of tourism zones will foster the development of tourism related
44 businesses, which will increase capital investment and create jobs.

45
46 **Section 35.4-2. Administration.**
47

48 This article shall be administered and enforced by the city manager or his
49 designee. Any application required by this chapter shall be on forms approved by the
50 city manager or his designee.
51

52 **Section 35.4-3. Burden.**
53

54 Any business applying for the benefits afforded by this Chapter shall have the burden of
55 proving qualification.
56

57 **Section 35.4-4. Boundaries of tourism zones.**
58

59 The tourism zones shall be established by city council by ordinance upon
60 findings that the incentives provided therein will enhance the establishment and growth
61 of tourism related businesses within the area under consideration. As tourism zones
62 are established by city council, they shall be further identified by reference to the map
63 entitled "Virginia Beach Tourism Zones" which shall be incorporated into and made a
64 part of this chapter and all future ordinances establishing a tourism zone.
65

66 **Section 35.3-5. Incentives.**
67

- 68 (a) Any ordinance establishing a tourism zone may provide incentives authorized
69 by section 58.1-3851 of the Code of Virginia and qualification for such
70 incentives by tourism businesses. Any incentive provided within a tourism
71 zone shall be for a period not to exceed 10 years from the date of application.
72 (b) The entitlement to any incentive authorized by this chapter shall be
73 conditioned upon the applicant paying any tax imposed by the City including
74 but not limited to business license taxes, business personal property, meals,
75 transient occupancy and admissions taxes by the date upon which the tax is
76 due. In the event a business is 30 or more days delinquent on any local tax,
77 such business forfeits any entitlement to any incentive authorized by this
78 chapter.
79

80 **ARTICLE II. RESORT AREA TOURISM ZONE**
81

82 **Section 35.4-10. Intent; findings.**
83

- 84 (a) It is the intent of the city council in establishing the Resort Area Tourism Zone
85 to:
86 1. Facilitate the establishment and growth of businesses that increase capital
87 investment and create jobs; and

- 88 2. Increase the inventory of tourism related businesses, with the goal of
89 extending the length of stay of visitors to the City.

90
91 (b) The city council finds that:

- 92 1. The establishment of a tourism zone in the Resort Area will foster the
93 development of business and benefit the public health, safety, welfare and
94 convenience through the enhancement of public revenues and the creation
95 of employment opportunities.

96
97 **Section 35.4-11. Establishment of the Resort Area Tourism Zone.**

98
99 The Resort Area Tourism Zone is hereby established. The zone shall consist of
100 the area described in detail by the map attached to this ordinance.

Adopted by the Council of the City of Virginia Beach, Virginia on the 13th day
of March, 2012.

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

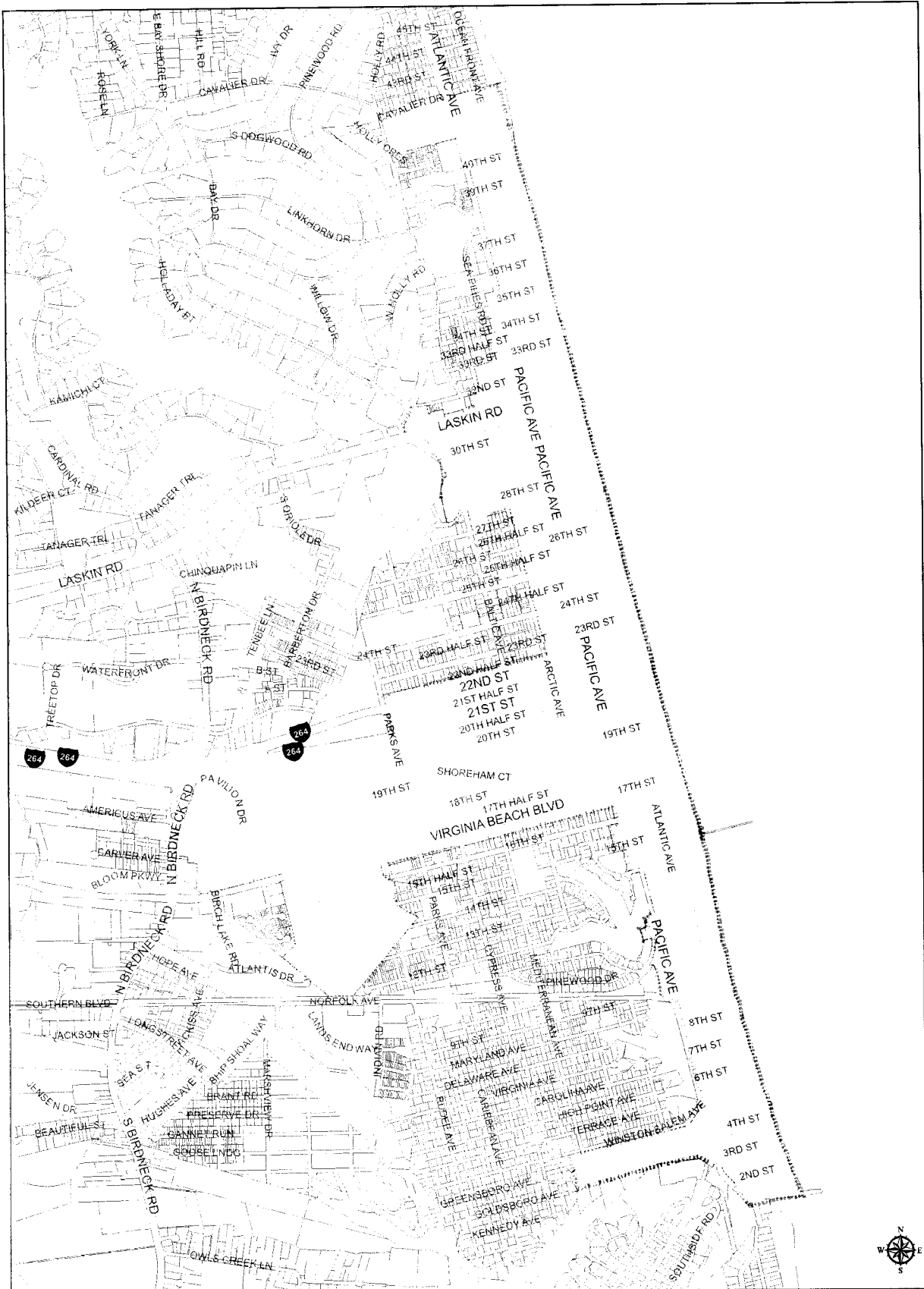
Strategic Growth Area

Economic Development

APPROVED AS TO LEGAL SUFFICIENCY:

City Attorney's Office

CA11796
R-3
February 28, 2012



CITY OF VIRGINIA BEACH
RESORT TOURISM ZONE MAP
February 28, 2012

- Tourism Zone
- Property Lines

Scale: 1"=1200'

0 600 1,200 2,400 Feet