

## ECONOMIC DEVELOPMENT DISTRICTS

## CHAPTER 40

## Economic Development Districts

## ARTICLE I

## Tourism Zone

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**[HISTORY: Adopted by the Council of the Town of Middleburg on 12/08/16]**

**§40-1 Purpose and intent**

The Council of the Town of Middleburg finds that the enhancement of its downtown business district requires regulatory flexibility and economic incentives, and determines that an appropriate method is provided by the tourism zones authorized by Virginia Code § 58.1-3851. The Town Council finds that the establishment of a tourism zone, as permitted by Virginia Code § 58.1-3851, will foster development of new tourism related businesses in the downtown that will serve a public purpose and benefit the public health, through the enhancement of public revenues and the creation of employment opportunities.

**§40-2 Definitions**

For purposes of this Article, the following words and phrases shall have the meanings below, unless otherwise expressly indicated to the contrary:

*New tourism business* means a tourism business which has not been actively engaged in the conduct of trade or business in the Town of Middleburg prior to the submission of a completed tourism zone program qualification application.

*Tourism business* means a business whose primary purpose is to establish a desirable destination to attract tourists from outside of the Town and create an environment for those visitors that will deliver a memorable experience or promote educational opportunities while increasing travel-related revenue. A tourism business, in the context of this Article, shall be in one or more of categories of businesses approved for this purpose by resolution of the Town Council, which may be subject to periodic review and change as the Town's economic development goals may require.

*Qualified tourism business* means a tourism business that has met the qualifications set forth for the tourism zone program by resolution of the Town Council and that continues to meet such qualifications as determined by the Town Administrator.

### **§40-3 Administration**

The administrator of the Town's Tourism Zone shall be the Town Administrator or the Town Administrator's designee. The Administrator shall determine the procedures for obtaining the benefits created by this Article and for the administration of this Article.

### **§40-4 Boundaries of tourism zone**

- (a) A tourism zone, as authorized by § 58.1-3851 of the Code of Virginia (1950, as amended), known as the "Middleburg Tourism Zone" is hereby established. The boundaries of the Middleburg Tourism Zone encompass all of the parcels of land zoned C-1, C-2 and C-3 as shown on the Middleburg Zoning Map, as may be amended from time to time.
- (b) The designation of this tourism zone shall not in any respect override any applicable Town Code requirements, except as may be expressly approved by Council.

### **§40-5 Incentives**

Qualified tourism projects may be eligible for incentives as approved by the Middleburg Town Council in conformance with the Code of Virginia, as amended.