



# THE COMMON COUNCIL

Rouss City Hall  
15 North Cameron Street  
Winchester, VA 22601  
540-667-1815  
TDD 540-722-0782  
www.winchesterva.gov

*I, Kerri A. Mellott, Deputy Clerk of the Common Council, hereby certify on this 25 day of September 2024 that the following Ordinance is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 24 day of September 2024.*

## **AN ORDINANCE AMENDING CHAPTER 8, ENTERPRISE ZONE, OF THE WINCHESTER CITY CODE**

**WHEREAS**, the City of Winchester has been an Enterprise Zone designated community since 2014; and,  
**WHEREAS**, the City of Winchester, as administrator of local Enterprise Zone incentives, has the authority to establish eligibility criteria for its local incentives; and,  
**WHEREAS**, the City of Winchester has a desire to improve the capability of its local Enterprise Zone incentives by expanding upon its definitions of “project” and “mixed-use”; and,  
**WHEREAS**, Ch. 8, Article I, Sec. 8-4 and Article II, Sec. 8-27 (a-c), must be amended to effectuate these programmatic changes.

**NOW THEREFORE BE IT ORDAINED** by the **Common Council of the City of Winchester** that:

1. Chapter 8, Enterprise Zone, Article 1, Sec. 8-4 and Article II, Sec. 8-27 of the Winchester City Code are hereby amended and re-enacted as follows:

### **CHAPTER 8 – ENTERPRISE ZONE**

#### **ARTICLE I. – GENERAL PROVISIONS**

##### **Sec. 8-4 Definitions.**

When used in this chapter, the definitions found in Code of Virginia §59.1-~~271~~[538](#), et seq., as amended from time to time, shall control and are incorporated herein by reference. As used in this chapter, the following words shall mean:

- a) *Amount of exemption* means an amount equal to the increase in assessed value resulting from the rehabilitation or replacement of the structure as determined by the assessing officer, and this amount only shall be applicable to assessment, commencing on the first day of January of the year following the rehabilitation or replacement. An increase in assessment occurring after the

first year of such rehabilitation or replacement exemption shall not result in an increase in such exemption.

- b) *Taxable year* means the calendar year from January 1 through December 31 for which such real property tax is imposed or exemption claimed. (Ord. No. 033-95, 9-12-95)
- c) *Project* is the proposed development effort on an individual parcel identified by an applicant seeking benefit from a specific, locally managed Enterprise Zone incentive. Individual parcels shall be identified by their unique tax map numbers.
- d) *Mixed-use* is a designation for projects where the combined, usable floor space of all buildings included in the project meet either of the following criteria:
  - i) Thirty percent (30%) of the floor space is devoted to commercial, office, or industrial purposes.
  - ii) The development project results in a minimum of fifty-thousand (50,000) square feet of commercial, office, or industrial space.

(Ord. No. 2017-28, 10-24-2017; Ord. No. O-2023-31 § 1, 10-24-2023)

## ARTICLE II. – EXEMPTION FROM LAND DEVELOPMENT FEES

### Sec. 8-27. Qualified recipients.

- ~~(a)~~ *Major Mixed-use Development Incentive.* Qualifying recipients shall be those owners of commercial, industrial or mixed-use property who complete a substantial rehabilitation project amounting to a private investment of at least \$5,000,000.00. In order to qualify, ~~project must include at least 35 percent of commercial space.~~ the project must be designated as “mixed-use.”
- ~~(b)~~ *Business development grant for vacant properties.* Qualifying recipients shall also include eligible businesses that conduct a substantial rehabilitation of a property within the Zone equal to or more than 75 percent of the assessed value of the property. The property must be at least 5,000 square feet, have been consecutively vacant for the two years prior to the commencement of the renovation and the business must be new to the City, or an expansion located within the City. In order to qualify, ~~project must include at least 35 percent of commercial space.~~ the project must be designated as “mixed-use.”
- ~~(c)~~ *Commercial and Mixed-use Property Rehabilitation Grant.* Qualifying recipients shall be those owners of commercial or mixed-use property who complete a substantial rehabilitation project within the Zone that improves the assessed value of the property by at least 50 percent. For commercial or mixed-use properties, no more than 20 percent of the building may be occupied by not-for-profit entities in order to qualify for the grant. In order to qualify, ~~project must include at least 35 percent of commercial space.~~ the project must be designated as “mixed-use.”

Completion shall be evidenced by the issuance of a final certificate of occupancy or, where no certificate of occupancy is required, by a final building inspection certificate.

2. All pending City of Winchester Enterprise Zone incentive applications will be retroactively awarded the full value of all implemented Virginia Enterprise Zone incentive changes in accordance with the applicable rules and regulations.

3. The City Manager, or his designee is hereby authorized to perform any tasks and execute any documents deemed necessary to effectuate the purpose of this Ordinance.

**Ordinance No. O-2024-13**

**ADOPTED by the Common Council of the City of Winchester on this 24 day of September 2024.**

*Witness my hand and the seal of the City of Winchester, Virginia.*



A handwritten signature in black ink that reads "Kerri A. Mellott".

**Kerri A. Mellott**  
**Deputy Clerk of the Common Council**