



Proposed Regulation Agency Background Document

Agency name	Housing and Community Development
Virginia Administrative Code (VAC) citation	13 VAC 5 -112
Regulation title	Virginia Enterprise Zone Grant Program
Action title	Repeal of 13 VAC 5-111-10 through 400 The creation of 13 VAC 5-112 -10 through 560 to implement the Enterprise Zone Grant program created by 59.1-538 through 59.1-549 of the Code of Virginia and amendments to Sections 59.1-279, 59.1-280, 59.1-280.1, 59.1-282.1 and 59.1-282.2 of the Code of Virginia.
Date this document prepared	

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.

The proposed regulations will establish the processes and procedures for the provision of the new Real Property Investment Grants and the new Job Creation Grants; establish new enterprise zone administration processes and procedures as provided for in 59.1-538 through 59.1-549 of the Code of Virginia

The proposed regulations will also establish the process and procedures for providing the Enterprise Zone Business Tax Credit, Enterprise Zone Real Property Investment Tax Credit and the Job Grants as provided for by amendments to Sections 59.1-279, 59.1-280, 59.1-280.1, 59.1-282.1 and 59.1-282.2 of the Code of Virginia.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

59.1-541 of the Code of Virginia directs the DHCD Board to promulgate Enterprise Zone Grant Program regulations. This is mandatory.

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.

The Enterprise Zone Act (59.1-270 through 59.1-284.1) expired on July 1, 2005. The 2005 General Assembly passed legislation creating the Enterprise Zone Grant Act (59.1-538 through 59.1-549). Amendments were made to Sections 59.1-279, 59.1-280, 59.1-280.1, 59.1-282.1 and 59.1-282.2 of the Code of Virginia in order to continue certain aspects of the existing Enterprise Zone Program.

The new program will accomplish several important policy objectives. It will more directly target zone designations to localities with the greatest need and with potential for effectively putting a zone to productive use. It will increase fiscal accountability associated with state incentives and hone in on economic situations that can best benefit from financial incentives.

The proposed regulations will outline the process and procedures for implementation of all aspects of these legislative actions.

These regulations are necessary for the welfare of Virginians because they are an essential step in implementing the Enterprise Zone Program, which is designed to help target job creation and investment to Virginia's most distressed communities. Without a regulatory framework the Department of Housing and Community Development cannot administer this program.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the "Detail of changes" section.)

1) Provides processes, procedures and eligibility criteria for business firms to access enterprise zone job creation grants; 2) Provides process, procedures and eligibility for qualified zone investors to access real property investment grants; 3) Outlines how enterprise zone grants will be allocated; 4) Provides processes, procedures and requirements for local governments to use to apply for and receive enterprise zone designations; 5) Outlines the circumstances under which an enterprise zone designation can be terminated; 6) Outlines procedures for localities with enterprise zones to use when amending their zone boundaries or local incentives; 7) Specifies the annual review process for designated zones; 8) Outlines

the procedures that will be used to consider renewing designated enterprise zones at the end of 10 and 15 years of zone designation; 9) Outlines the circumstances under which a business or investor can access grants when a zone designation is ending; 10) Outlines the administrative requirements of the Enterprise Zone Program; 11) Outlines the limited circumstances under which qualified zone businesses and qualified zone residents can access enterprise zone tax credits that otherwise will not be available after July 1, 2005.

Issues

Please identify the issues associated with the proposed regulatory action, including:
1) *the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
2) *the primary advantages and disadvantages to the agency or the Commonwealth; and*
3) *other pertinent matters of interest to the regulated community, government officials, and the public.*

If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.

The regulatory action poses no disadvantages to the public or the Commonwealth.

Requirements more restrictive than federal

Please identify and describe any requirement of the proposal which are more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

There are no applicable federal requirements.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

The following localities currently have a designated Enterprise Zone and are the only localities affected by the proposed Regulations:

- | | | |
|----------------|---------------|--------------|
| Accomack | Clarksville | Glade Spring |
| Alexandria | Clifton Forge | Greensville |
| Alleghany | Clintwood | Halifax |
| Brunswick | Covington | Hampton |
| Carroll County | Danville | Haysi |
| Charlotte | Dickenson | Henrico |
| Chesapeake | Dinwiddie | Henry |
| Chesterfield | Galax | Hillsville |
| Chilhowie | | |

Hopewell
James City
Kenbridge
Kilmarnock
LaCrosse
Lancaster
Lawrenceville
Lunenburg
Lynchburg
Martinsville
Mecklenburg
Narrows
Newport News
Norfolk
Northampton
Northumberland

Orange
Patrick
Petersburg
Pittsylvania
Portsmouth
Prince Edward
Prince George
Pulaski County
Pulaski Town
Richmond City
Richmond County
Roanoke City
Rocky Mount
Saltville
Scott County
Smyth

South Boston
South Hill
Staunton
Stuart
Suffolk
Tazewell
Victoria
Warren
Warsaw
Washington
Waynesboro
Westmoreland
Wise
Wythe

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

In addition to any other comments, DHCD is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so by mail, email or fax to Louellen Brumgard, Virginia Department of Housing and Community Development, 501 N. Second Street, Richmond, Virginia 23219, 804-371-7030 (phone), 804-371-7093 (fax), Louellen.Brumgard@dhcd.virginia.gov. Written comments must include the name and address of the commenter. In order to be considered comments must be received by the last date of the public comment period.

A public hearing will be held and notice of the public hearing may appear on the Virginia Regulatory Town Hall website (www.townhall.virginia.gov) and can be found in the Calendar of Events section of the Virginia Register of Regulations. Both oral and written comments may be submitted at that time.

Economic impact

Please identify the anticipated economic impact of the proposed regulation.

Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures	The tax credits available under this Regulation are limited by statute to \$7.5 million per year and the grants available are limited to \$13.5 million per year based on budget allocation.
Projected cost of the regulation on localities	Minimal and will vary by locality depending on their local incentives. Localities affected by the

	Regulations have sought to participate.
Description of the individuals, businesses or other entities likely to be affected by the regulation	The proposed Regulations will affect businesses, individuals and non-profits located in Enterprise Zones that wish to qualify for state incentives.
Agency’s best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.	It is anticipated that that between 400 and 500 entities will apply for the state incentives. It is difficult to estimate the number of small businesses that will apply given some of the grant eligibility requirements provided for by statute.
All projected costs of the regulation for affected individuals, businesses, or other entities. Please be specific. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses.	Costs associated with these Regulations affect only those that wish to qualify for the incentives. Costs are related to the CPA attestation report required by statute and will vary depending on the size of the business and the incentive request. There is no reporting requirement. Applicants must make available for review for attestation and grant monitoring purposes records that are kept in the normal course of business such as payroll records and capital accounts records

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

There is no other viable alternative.

Regulatory flexibility analysis

Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

Performance standards for qualification for the incentives are set by statute. In order to allocate the incentives and an equitable manner all applicants are required to follow the same submittal deadlines. There are no reporting requirements for any size incentive applicant. All incentive applicants must make available for review for attestation and grant monitoring purposes records that are kept in the normal

course of business such as payroll records and capital account records. Costs of the attestation required by statute would be in proportion to the size of the applicant.

Public comment

Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.

Commenter	Comment	Agency response
	None received	

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

There is an indirect positive impact on the family in that one purpose of the program is to create net new jobs in distressed areas of the Commonwealth. Businesses must pay at least at 175 percent of the federal minimum wage in order to qualify for job creation grant. This can encourage economic self-sufficiency and increase disposable family income.

Detail of changes

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.

If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all changes between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.

For changes to existing regulations, use this chart:

Changes between the Pre-emergency Regulation and the Proposed Regulation			
Current section number (13 VAC 5-)	Proposed new section number, if applicable (13VAC 5-)	Current requirement	Proposed change and rationale
111-10	112-10		Updates program definitions as defined under 59.1-279 through 59.1-284.01 and 59.1-538 through 59.1-549 of the Code of Virginia in effect as of July 1, 2005 (hereafter referred to as the statute)
111-20			Purpose had been defined in the statute at one time; No longer specified
111-30 through 111-60			Deleted sections pertaining to firms qualifying before July 1, 1995 to be consistent with statute
111-70, 80, 85, 90	112-20, 30,40, 50		Adds language to specify the conditions under which firms may begin taking these credits after 7/1/05 and to specify the new annual fiscal limitations to be consistent with statute
	112-60		Adds section to specify the procedures for continued business qualification in zones whose designation period is ending; Zones are beginning to reach the end of their 20-year designation period and a procedure is needed to guide what happens to businesses that are in the midst of an incentive period
111-100,110, 120, 130	112-70, 80, 90, 100		
111-140	112-110		Replaces the Procedures for Qualifying for the Real Property Improvement and Zone Investment Tax Credit with Procedures for Qualifying for the Real Property Investment Tax Credit, including changes to effective dates and specifying the conditions under which firms may begin taking the Real Property Investment Tax Credits after 7/1/05 to be consistent with statute
111-150, 160, 165			Removes sections on related to the Real Property Improvement Tax Credit to be consistent with statute
111-170	112-120		
	112-130		Adds section to specify annual fiscal limitations for the Real Property Investment Tax Credit to be consistent with statute
	112-140		Adds section to specify eligibility for the Real Property Investment Tax Credit to be consistent with statute
	112-150		Adds section to specify the procedures

			for continued business qualification in zones whose designation period is ending; Zones are beginning to reach the end of their 20-year designation period and a procedure is needed to guide what happens to businesses that are in the midst of an incentive period
	112-160		Adds a section on anti-churning to be consistent with the other job creation related incentives
111-180, 190	112-170, 180		Removes from the section information pertaining to the Real Property Improvement Tax Credit to be consistent with statute
111-200	112-190		
111-210	112-200		Changes effective dates and specifies under what conditions firms may qualify for this incentive to be consistent with statute
111-220			Removes section on grant funding to be consistent with budget language
111-230	112-210		
111-240	112-220		Removes the language pertaining to application submittal and processing
	112-230		Adds a section on application submittal and processing to be consistent with earlier sections of the Regulations
	112-240		Adds section to specify the procedures for continued business qualification in zones whose designation period is ending; Zones are beginning to reach the end of their 20-year designation period and a procedure is needed to guide what happens to businesses that are in the midst of an incentive period
111-250	112-250		
111-260			Removes provisions for grant allocations to be consistent with budget language
111-270			Removes language pertaining to assignment of grants to be consistent with statute
	112-260 through 112-390		Add sections related to Procedures for Qualifying for Enterprise Zone Job Creation Grants and Procedures for Qualifying for Real Property Investment Grants to be consistent with statute
	112-400, 410		Adds section related to Policies and Procedures for Enterprise Zone Grants for the allocation of grants and the Departments actions with regard to decisions about such grants to be consistent with statute
	112-420		Adds a section under Enterprise Zone Designation with language reflecting that zones designated prior to July 1, 2005

			may complete their 20-year designation period and that they will be governed under the provisions of Chapter 47 to be consistent with statute
111-280	112-430		Revises language pertaining to eligible applicants, specifically that towns are no longer eligible applicants but may be included as part of county zones to be consistent with statute
111-290	112-440		Revises language pertaining to zone eligibility requirements to be consistent with statute, specifically that any enterprise zone may consist of three-non-contiguous areas (instead of the previous two); removes zone specific census-based and floor area vacancy rates as eligibility requirements as specified by statute; revises the zone size guidelines so that there is only one type of city and creates new maximum and minimum acreage requirements to offer more flexibility to participants
111-320	112-450		
111-300	112-460	Maximum number of zones is 60; zone designation is for a 20-year period; localities may propose local incentives	Maximum number of zones will be 30; initial designation period will be for 10-years with the possibility of two five-year extensions as specified by statute; language pertaining to local incentives is discussed under a different section
111-310	112-470		Adds language pertaining to the procedures and requirements for joint applications, specifically that localities applying for a joint zone must demonstrate a regional need for such and regional impact that couldn't be achieved through a single jurisdiction application; requires such applicants to specify the mechanisms that will be used to ensure that the economic benefit is shared among the localities as specified by statute
	112-480		Adds a section related to application considerations to be consistent with statute, specifically that zone designations will be based on locality-wide need and impact; that need shall be based on (i) the average unemployment rate for the locality over the most recent three-year period, (ii) the average median adjusted gross income for the locality over the most recent three-year period, and (iii) the average percentage of public school students within the locality receiving free or reduced price lunches over the most recent three-year period;

			that these distress factors shall account for at least 50 percent of the consideration' for enterprise zone designation and that local governments must provide local incentives to be consistent with statute
111-330	112-490		Revises zone amendment procedures to be consistent with statute
111-335			Remove the provision that allowed for Richmond to amend its zone boundaries to create a joint zone with Henrico County to be consistent with statute
	112-500		Add section related to Procedures for annual review of zones to be consistent with statute
111-340, 350	112-510, 520		
	112-530		Adds procedures for zone renewal to be consistent with statute
111-360	112-540		
111-370, 380			Removed to be consistent with statute
111-390	112-550		
111-400	112-560		

Changes between the Emergency Regulation and the Proposed Regulation		
Current section number 13 VAC 5-	Emergency Regulations requirement	Proposed change and rationale
112-10 Pg 2	"Building" means a structure built on a single foundation and under one roof regardless of address, ownership or tax assessment configurations or separation of sections by fire walls.	"Building" means any construction meeting the common ordinarily accepted meaning of the term (building, <i>n</i> , a usually roofed and walled structure built for permanent use) where 1) areas separated by interior floors or other horizontal assemblies and 2) areas separated by fire walls or vertical assemblies shall not be construed to constitute separate buildings, irrespective of having separate addresses, ownership or tax assessment configurations, unless there is a property line contiguous with the fire wall or vertical assembly. Revise definition of building to use language consistent with the building trades and to better clarify what constitutes a separate building as it relates to the real property improvement grant cap
112-10 Pg 2	"Business firm" means any corporation, partnership, electing small business (subchapter S) corporation, limited liability company, or sole proprietorship authorized to do business in the Commonwealth of Virginia as well as business and professional organizations	Revise the definition of "business firm" to include the language " provided they are not considered local service " after NAICS to clarify that the entities that fall under 813910 and 813920 of the North American Industry Classification System will not qualify if they are of a local nature as defined by regulation

	and associations whose classification falls under sectors 813910 and 813920 of the North American Industry Classification Systems (NAICS).	
112-10 Pg 3		Add definition of “conduct of same trade or business” which is referenced under the definition of facility to exclude unrelated companies that co-locate for integrated manufacturing purposes (e.g., car part suppliers co-locating near assembly plant) from being considered a facility as relates to the real property investment grant’s cap per building or facility.
112-10 Pg 3		Delete definition of “employee of a zone establishment” term is not specifically used in the Regulations and is unnecessary
13 VAC 5-112-10 Pg 5	“Health benefits” means that at a minimum medical insurance is offered to employees by and partially paid for by the employer.	Health benefits” means that at a minimum medical insurance is offered to employees and the employer shall offer to pay at least 50 percent of the cost of the premium at the time of employment and annually thereafter. Specify a specific percentage to ensure that all business firms meet the same standards in order to qualify.
112-10 Pg 7	“Local service” means a business which provides services primarily within Commonwealth of Virginia. A service business where the majority of sales, or in the case of certain businesses, memberships, come from outside the Commonwealth would not be considered a local service business.	“Local service” means a business which provides services primarily within the city or county in which the business is located. A service business where the majority of sales, or in the case of certain businesses, memberships, come from outside the city or county in which the business is located would not be considered a local service business and would be eligible to qualify for job creation grants pursuant to §59.1-547 of the Code of Virginia. Pursuant to enterprise zone designations made prior to July 1, 2005, this shall include towns. Revise definition to make the qualification requirements somewhat less restrictive and allows more companies to benefit from it.
112-10 Pg 15		Moves the definition of “redetermined base year” to be in alphabetic order
112-12 Pg 20	Business Firm Procedures For Businesses Qualifying For General Tax Credit	Procedures For Qualifying For General Tax Credit The proposed title is consistent with other titles throughout the regulations.
112-10 Pg 19		Add definition of “useable floor space” which is a term used in the statute in the definition of “mixed use” to specify the type of space that should be included in the determination of a mixed use building for consistent calculations

<p>112-90, 4 112-160, 4 112-250 112-310 Pgs 30, 34, 41, 47</p>		<p>Change the wording from “enterprise zone location” to “enterprise zone locality” to exclude firms that move to another enterprise zone with in the same locality from anti-churning provisions and they would continue to receive incentives provided they continued to meet qualification requirements</p>
<p>112-260 Pg 41</p>	<p>Beginning on July 1, 2005, a business firm shall be eligible to receive enterprise zone job creation grants for the creation of new permanent full-time positions.</p>	<p>Beginning on July 1, 2005, a business firm shall be eligible to receive enterprise zone job creation grants for the creation of new permanent full-time positions above the threshold number.</p> <p>To clarify that the job creation grants are for permanent full-time positions created over the threshold number.</p>
<p>112-270, C 1 Pg 42</p>	<p>. . .health care benefits . . .</p>	<p>. . .health benefits . . .</p> <p>Deletes the word “care” to be consistent with the statute</p>
<p>112-270 E, 1-3 Pg 43</p>		<p>Add language to specify under what conditions small and large qualified business firms may qualify for both tax credits and the new job creation grants and under what conditions business firms may qualify for both job grants (59.1-282.1 & 282.2) and job creation grants (59.1-547)</p>
<p>112-280, A Pg 43</p>	<p>A. A business firm shall be eligible to receive job creation grants for five consecutive years beginning with the first year of grant eligibility. Business firms in their first five-year period shall demonstrate that they have increased employment by four permanent full-time positions over the base year.</p>	<p>A. A business firm shall be eligible to receive job creation grants for five consecutive years beginning with the first year of grant eligibility for permanent full-time positions created above the threshold number.</p> <p>Add the language “for permanent full-time positions created above the threshold number” to clarify that the threshold number must be met each year the firm seeks to qualify not just the first year.</p>
<p>112-280, B, 1 Pg 44</p>	<p>If a second or subsequent five-year grant period is requested within two years after the previous five year period, the subsequent base year will be the last grant year.</p>	<p>If a second or subsequent five-year grant period is requested within two years of the previous grant period, the subsequent base year will be the last grant year.</p> <p>To reflect that firms have the option of not completing the entire five-year grant period in order to begin a new grant period if it is more beneficial for them.</p>
<p>112-320 Pg 47</p>	<p>Business firms may not begin additional five-year incentive period after the zone expiration date.</p>	<p>Business firms may not begin additional five-year grant period after the zone expiration date.</p> <p>Wording change for consistency</p>
<p>5-112-340, B, 1 Pg 49</p>	<p>In cases where subsequent qualified real property investment within the five-year period results in the total qualified real property investment equaling \$2</p>	<p>In cases where subsequent qualified real property investment within the five-year period results in the total qualified real property investment equaling \$2 million or</p>

	million or more then the qualified investor shall be eligible to receive an additional grant provided that the total of all grants received within the five-year period does not exceed a maximum of \$250,00 per building or facility.	more then the qualified investor(s) shall be eligible to receive a grant(s) provided that the total of all grants received within the five-year period does not exceed a maximum of \$250,00 per building or facility. Wording change to indicate that more than one qualified investor may receive grants should the higher investment threshold be reached based on cumulative investments within a five year period
112-340, B, 2 Pg 49		Add section to specify how subsequent real property investment grants will be calculated should the higher investment threshold be reached based on cumulative investments within a five year period
112-340, D Pg 50		Add section to specify the apportionment of real property investment grants in the case of buildings with multiple tenants and/or owners in cases where there has not been coordination of applications
112-350, B Pg 51	B. A qualified zone investor is eligible to apply for a real property investment grant in the calendar year following the year in which the property was placed in service provided that . . .	B. A qualified zone investor shall apply for a real property investment grant in the calendar year following the year in which the property was placed in service provided that . . . Wording change to be consistent with statute
112-350, E Pg 51	E. In the case of buildings with multiple tenants and/or owners, such tenants or owners shall coordinate under this section.	E. In the case of buildings with multiple tenants and/or owners, such tenants or owners shall coordinate under this section. In cases where such coordination has not occurred, the Department will determine the amount of each tenants' and/or owners' real property investment pursuant to 13 VAC 5-112-340 D. Add language to specify the procedure in cases where there is no coordination of real property investment grant applications in buildings with multiple tenants and/or owners
112-370-380 Pg 52-53		Replace the wording "business firm" with "qualified zone investor" or "applicant." Business firm is not a term used under the real property investment grant.
112-420, A Pg 55	A. All enterprise zones designated pursuant to § 59.1-274, § 59.1-274.1, and § 59.1-274.2 of the Code of Virginia as those were in effect prior to July 1, 2005 . . .	A. All enterprise zones designated pursuant to § 59.1-274, § 59.1-274.1, and § 59.1-274.2 of the Code of Virginia as those that were in effect prior to July 1, 2005 . . . Add missing word
5-112-440, C 1 Pg 56	1. Cities - Minimum: ¼ square mile (160 acres); Maximum: 1 square mile (640 acres) or seven percent of the jurisdiction's land area or population, whichever is largest.	1. Cities - Minimum: ¼ square mile (160 acres); Maximum: 1 square mile (640 acres) or seven percent of the jurisdiction's land area or an area that includes seven percent of the population , whichever is largest.

		Add language to clarify how to calculate zone acreage based on population
112-460 Pg 57		Delete language related to the initial round of zone designations under the new program as this has already occurred
112-490 Pg 63	J. . . . does not provide the town with the ability to make any zone amendments, create subzones or give the town its own zone acreage	J. . . . does not provide the town with the ability to make any zone amendments, add non-contiguous areas or give the town its own zone acreage Wording change to be consistent with statute
112-510, A Pg 64	. . .these procedures will apply if either local governing body or its assigned agent	. . .these procedures will apply if any local governing body or its assigned agent Wording change to reflect that joint zones may consist of more than two jurisdictions
112-520 Pg 65-66	C. Localities that have shown . . . D. Localities that have shown . . .	C. A jurisdiction that has shown . . . D. A jurisdiction that has shown . . . Wording change to have consistent use of terms