

AN UNCODIFIED ORDINANCE
CREATING A SPECIAL SERVICE DISTRICT
WITHIN CAMPBELL COUNTY, VIRGINIA,

Pursuant to VA. CODE ANN. §15.2-2400 et seq. (Repl. Vol. 2008 and Cum. Supp. 2010)

Airport Development Area Special Service District

Section 1. Creation of Special Service District; name and boundaries.

The Board of Supervisors of Campbell County, Virginia, hereinafter referred to as the “Board,” hereby creates the Airport Development Area Special Service District (hereinafter referred to as the “Special Service District,”) pursuant to the authority of VA. CODE ANN. §15.2-2400 et seq. (Repl. Vol. 2008 and Cum. Supp. 2010). The Special Service District shall include the “Development Area” that encompasses approximately 200 acres located in the Concord Election District of Campbell County, along Wards Road and the U. S. Highway Route 460 Bypass between Wards Ferry Road and Airport Road. The approximate boundaries of said Development Area are shown on the attached Exhibit 1, which is hereby incorporated herein by reference as a part of this ordinance.

For state law authority, see VA. CODE ANN. §15.2-2400 (Repl. Vol. 2008) and §15.2-2402 at paragraph 1. (Repl. Vol. 2008).

[THE APRIL 3, 2006 ACT adopted this uncodified ordinance.]

[THE JULY 19, 2010 AMENDMENT amended the boundaries of the Development Area slightly and incorporates a new Exhibit 1.]

Section 2. Purposes of the Special Service District.

(a) The Special Service District is created to address the anticipated future development in the Development Area that is expected to result in substantial additional service demands and traffic effects for the County. The purposes of the Special Service District are to provide additional, more complete or more timely services of government than are required in Campbell County (hereinafter referred to as the “County”) as a whole, including, but not limited to:

1. Economic development services,
2. Promotion of business and retail development services,
3. Construction, maintenance and general upkeep of streets and roads that are not under the operation and jurisdiction of the Virginia Department of Transportation,

4. Road construction, rehabilitation and replacement of existing transportation facilities or systems, provided that any transportation service, system, facility, roadway, or roadway appurtenance established in the Special Service District that will be operated or maintained by the Virginia Department of Transportation shall be established with the involvement of the Board and meet the appropriate requirements of the Department, and
5. Such other services which may enhance the public use and enjoyment of and the public safety, public convenience, and public well-being within the Special Service District.

(b) Creation of such Special Service District will aid the County, in conjunction with the adjoining City of Lynchburg, in planning the development of the Development Area, cooperatively managing the impact of such development, and mitigating the costs associated with providing public services in connection with future development.

For state law authority, see VA. CODE ANN. §15.2-2400 (Repl. Vol. 2008), §15.2-2402 at paragraph 2. (Repl. Vol. 2008), and §15.2-2403 (Cum. Supp. 2010).

[THE APRIL 3, 2006 ACT adopted this uncodified ordinance.]

Section 3. General provisions and powers.

The Board of Supervisors shall be the governing body of the Special Service District. The Board shall exercise any and all of those powers and duties with respect to special service districts set forth in VA. CODE ANN. §15.2-2400 et seq. (Repl. Vol. 2008 and Cum. Supp. 2010).

For state law authority, see VA. CODE ANN. §15.2-2400 (Repl. Vol. 2008) and §15.2-2403 (Cum. Supp. 2010).

[THE APRIL 3, 2006 ACT adopted this uncodified ordinance.]

Section 4. Facilities and services proposed.

(a) The County shall fund the design and construction of the Development Area Access Road to provide public road access from Leesville Road or Airport Road to the Development Area. The County shall maintain the Development Area Access Road as a public road or arrange to have the road dedicated to the Virginia Department of Transportation to maintain the Development Area Access Road as a public road.

(b) The County, utilizing resources that may be made available from other sources, including but not limited to the City of Lynchburg under interlocal service agreement(s) and in cooperation with the City of Lynchburg, shall implement other traffic management improvements, including traffic calming measures, on the roads within the Development Area.

(c) The County shall develop the Development Area Master Plan, addressing road improvements and other infrastructure improvements in the Development Area. The County shall

amend its Comprehensive Plan to incorporate the Development Area Master Plan as part of the Comprehensive Plan and shall require that all future development in the Development Area shall conform to the Development Area Master Plan.

For state law authority, see VA. CODE ANN. §15.2-2400 (Repl. Vol. 2008) and §15.2-2402 (Repl. Vol. 2008).

[THE APRIL 3, 2006 ACT adopted this uncodified ordinance.]

Section 5. Plan for implementation; annual tax imposed; relief for certain elderly and disabled persons.

(a) Pursuant to the authority of VA. CODE ANN. §15.2-2403 at paragraph 6 (Cum. Supp. 2010), the Board shall levy and collect an annual tax, as described in subsection (b) below, upon real property within the Airport Development Area Special Service District to pay, either in whole or in part, the expenses and charges for providing the governmental services described in this ordinance in Section 2 and Section 4 hereof, and for constructing, maintaining and operating such facilities and equipment as may be necessary and desirable in connection therewith; provided, however, that such annual tax shall not be levied for or used to pay for schools, police or general government services not authorized under this ordinance, and the proceeds from such annual tax shall be so segregated as to enable the same to be expended in the Special Service District in which raised.

(b) Real property within the Special Service District shall be subject to a real estate tax rate that is equal to the City of Lynchburg's real estate tax rate. The difference between the County's general real estate tax and the special real estate tax applied hereunder in the Special Service District shall be deemed to be the annual Special Service District tax and the additional funds generated thereby shall be utilized for purposes heretofore set forth.

(c) The imposition of the above special tax rate in the Special Service District shall be subject to the provisions of Sec. 9-8 et seq. of the Campbell County Code of 1988 ("Real Estate Tax Exemption for Certain Elderly Persons and Disabled Persons"), so as to alleviate the effects of the increased tax upon certain elderly persons and disabled persons owning real property with the Special Service District. In addition, payment of the above annual tax may be postponed by certain elderly or permanently and totally disabled property owners meeting certain conditions until the sale of the property or the death of the last eligible owner. Eligibility for postponement shall be subject to the conditions set forth in VA. CODE ANN. §58.1-3211 (Repl. Vol. 2009) as those provisions have been adopted at Sec. 9-10 of the Campbell County Code of 1988 for application within the County. The Commissioner of the Revenue shall enter those taxes or assessments postponed hereunder in accordance with the conditions prescribed as provided for other taxes, but the eligible property owner shall have the option of payment or postponement.

For state law authority, see VA. CODE ANN. §15.2-2400 (Repl. Vol. 2008) §15.2-2403 (Cum. Supp. 2010), and §15.2-2407 (Repl. Vol. 2008). See also VA. CODE ANN. §58.1-3210 et seq. (Repl. Vol. 2009).

[THE APRIL 3, 2006 ACT adopted this uncodified ordinance.]

[THE JUNE 5, 2006 AMENDMENT added the last three sentences in subsection (c).]

Section 6. Benefits to be expected from Special Service District.

The creation of the Airport Development Area Special Service District will facilitate orderly development in the Development Area so that it is well-designed, consistent with the Comprehensive Plan and consistent with the character of existing uses in the area, while mitigating adverse impact on property owners in the area from future development and providing improved or additional roads and traffic management plans that will adequately address increased or changed traffic patterns.

For state law authority, see VA. CODE ANN. §15.2-2400 (Repl. Vol. 2008) and §15.2-2402 (Repl. Vol. 2008).

[THE APRIL 3, 2006 ACT adopted this uncodified ordinance.]