

ARLINGTON COUNTY CODE

Chapter 66

TECHNOLOGY ZONES*

* **Editor's Note:** Ord. No. 07-11, adopted September 8, 2007, amended Ch. 66, in its entirety, to read as herein set out.

Article I. General Provisions

§ 66-1. Purpose.

§ 66-2. Compliance.

§ 66-3. Definitions.

§ 66-4. Business License Tax.

ARTICLE I.

GENERAL PROVISIONS

§ 66-1. Purpose.

The Arlington County Board finds that certain classes of high technology business activities have special economic significance to the County due to the nature of the technology developed or employed, their interrelationship with other Arlington-based federal and private organizations/businesses, and their potential for high growth in employment and capital investment. The Arlington County Board further finds that the most appropriate method of offering incentives to certain classes of technology businesses is to create Technology Zones in the Rosslyn-Ballston Corridor, the Jefferson Davis Corridor, the Columbia Pike Special Revitalization District, and the Shirlington Area, plus properties located within Commercial/Mixed Use (C) Districts and Industrial (M) Districts as authorized in the Code of Virginia, § 58.1-3850, in which zones inducements may be offered to encourage such technology businesses to relocate to or expand in the County. The County has determined that the establishment of these technology zones will improve economic conditions, hasten redevelopment, and benefit the welfare of its citizens.

(Ord. No. 00-01, § 1, 2-1-00; Ord. No. 03-02, 2-25-03; Ord. No. 07-11, 9-8-07; Ord. No. 14-02, 4-12-14, Ord. No. 14-09, 12-13-14)

§ 66-2. Compliance.

A business shall apply for and qualify as a qualified new or expansion technology business on an annual basis. If a business ceases to be a qualified technology business during a calendar tax year in which the tax reductions apply, any tax owed by the business at the reduced rate for a qualified technology business shall be prorated for the months the business was a qualified technology business. If a business applies for and qualifies as a technology business during a license year the tax for that year shall be prorated with the appropriate technology rate applied to gross receipts derived after qualification.

Failure of the business to fully comply with any tax imposed by the County will result in the revocation of its designation as a qualified technology business for the current tax year and any other tax years in which it fails to comply. Upon such a determination, the Commissioner of the Revenue shall assess additional business license taxes with penalties and interest as authorized in Arlington County Code, Chapter 11.

(Ord. No. 00-01, § 1, 2-1-00; Ord. No. 07-11, 9-8-07; Ord. No. 14-02, 4-12-14)

§ 66-3. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

A. "Qualified technology business" means a business that has a "definite place of business" as defined in paragraph E, below, within a "qualified technology zone" as defined in paragraph F of this section, and which has a primary function in the creation, design, and/or research and development of technology hardware or software. The use of computers, telecommunications services, or a web page or internet site shall not, in itself, be sufficient to qualify as a qualified technology business.

B. "Qualified expansion technology business" means existing businesses with a definite place of business in Arlington County which have not been classified as a "qualified technology business", and can no longer be qualified as a new "qualified technology business" pursuant to paragraph D below, but which meet the qualified technology business activity definition and which have expanded employment significantly based by one of the following criteria:

Increased full time employment by at least 25% or more full-time employees within the twelve (12) months prior to application as an expansion technology business. For purposes of this subsection this means an increase in the number of full-time employees at or greater than 25% of the number of full-time employees shown on a report to the Virginia Employment Commission (VEC) within the twelve (12) months prior to qualification as an expansion technology business.

Once certified as a qualified expansion technology business gross receipts from the time of the expansion are eligible for the incentive. The applicable tax rate will be as indicated in Section 11-86 of the Arlington County Code.

C. Any business already qualified as a "qualified technology business" on April 12, 2014, which expands as outlined in paragraph B above may be newly qualified as a "qualified expansion technology business" if the expansion criteria are met. In that case the incentive period allowed by law and Chapter 11 of the Arlington County Code shall begin on the date of the qualification as a "qualified expansion technology business"

D. No business shall qualify as a new "qualified technology business" unless (1) that business has first established a definite place of business in Arlington County after February 1, 2000, and (2) within eighteen (18) months after establishing a definite place of business in the county that business has met the requirements of this ordinance and applied for such status. A business may qualify as a "qualified expansion technology business" whenever the expansion criteria outlined for "qualified expansion technology business" are met.

E. "Definite place of business" means an office or a location at which occurs a regular and continuous course of dealing over a period of thirty (30) consecutive days or more. A definite place of business for a person engaged in business may include a location leased or otherwise obtained from another person.

F. "Qualified technology zone" means one (1) of the following:

1. *Downtown Technology Zones.* Those areas zoned for commercial or industrial use in the Rosslyn-Ballston or Jefferson Davis Corridors, as designated on the General Land Use Plan in effect on December 11, 1999, and which is a part of the Comprehensive Plan for Arlington County, Virginia. The precise boundaries of the Rosslyn-Ballston Corridor and Pentagon City - Crystal City Technology Zones are set forth in Appendix A, which is attached to this chapter.
2. *Shirlington Technology Zone.* Those areas zoned for commercial or industrial use in the Shirlington area as set forth in Appendix A.
3. *Columbia Pike Corridor Technology Zone.* Those specific parcels within the "Columbia Pike Special Revitalization District" as set forth in Appendix A.
4. Properties located within Commercial/Mixed Use (C) Districts and Industrial (M) Districts.

G. "Employee" means a person who is on the qualified technology business' payroll within the technology zone and is required to report to work in the technology zone.
(Ord. No. 00-01, 2-1-00; Ord. No. 03-02, 2-25-03; Ord. No. 06-01, 1-21-06; Ord. No. 07-11, 9-8-07; Ord. No. 14-02, 4-12-14, Ord. No. 14-09, 12-13-14)

§ 66-4. Business License Tax.

A qualified new or expansion technology business as defined by this chapter shall be subject to the business license tax provided in Arlington County Code § 11-86.
(Ord. No. 00-01, 2-1-00; Ord. No. 07-11, 9-8-07; Ord. No. 14-02, 4-12-14)

APPENDIX A

DEFINITION OF TECHNOLOGY ZONES

DOWNTOWN TECHNOLOGY ZONES:

ROSSLYN-BALLSTON CORRIDOR TECHNOLOGY ZONE -- The geographic area as delineated by the following:

Beginning at Route 50 and Arlington Ridge Road, west on Route 50 to North Mead Street, south along North Mead Street to 12th Street North, west on 12th Street North to Route 50, west on Route 50 to 10th Street, west on 10th Street to Washington Boulevard, south on Washington Boulevard to 7th Street North, west on 7th Street North to North Hudson Street, south on North Hudson Street to 6th Street North, west on 6th Street North to North Ivy Street, south on North Ivy Street to 5th Street North, west on 5th Street North, to Glebe Road, southeast on Glebe Road to 4th Street North, southwest on 4th Street North to George Mason Drive, northwest on George Mason Drive to I-66, northeast on I-66 to Washington Boulevard, east on Washington Boulevard to Kirkwood Road, north on Kirkwood Road to 13th Street North, east on 13th Street North to North Jackson Street, north on North Jackson Street to Key Boulevard, east on Key Boulevard to Custis Road, southeast on Custis Road to Barton Street, north on Barton Street to Key Boulevard, east on Key Boulevard to North Adams Street, north on North Adams Street to 18th Street North, east on 18th Street North to North Veitch Street, north on North Veitch Street to Lee Highway, east on Lee Highway to North Oak Street, north along North Oak Street, and continuing in that line to the George Washington Memorial Parkway, west on the George Washington Memorial Parkway to Arlington Ridge Road, then south along Arlington Ridge Road to Route 50.

JEFFERSON DAVIS CORRIDOR -- The geographic area delineated by the following:

Beginning at South Joyce Street and Shirley Highway, east on Shirley Highway then northward to its intersection with the George Washington Memorial Parkway, east on the George Washington Memorial Parkway to the R F&P railroad track right-of-way, south along the R F&P railroad right-of-way to the Four Mile Run waterway, west along Four Mile Run to South Eads Street, north on South Eads Street to 23rd Street South, west on 23rd Street South to South Fern Street, north on South Fern Street to 18th Street South at its intersection with South Hayes Street, northwest on South Hayes Street to its intersection with 15th Street South, west on 15th Street South to South Joyce Street, north on South Joyce Street to Shirley Highway.

OTHER TECHNOLOGY ZONES

SHIRLINGTON TECHNOLOGY ZONE:

The geographic area delineated by the following:

Beginning at Walter Reed Drive at Four Mile Run Drive, east on Four Mile Run Drive to South Shirlington Road, north on South Shirlington Road to 24th Street South, east on 24th Street South to South Glebe Road, southeast on South Glebe Road to I-395, south on I-395 to the Arlington County boundary with the City of Alexandria, thence west along said boundary to South Shirlington Road, south on Shirlington Road to Shirlington Circle, south on Shirlington Circle to the edge of the C-O-1.5 zoning, thence west along said zoning line to the southern edge of the Arlington County Trades Center property, north along said property line to 29th Street South, north on 29th Street South to Arlington Mill Drive, west on Arlington Mill Drive to South Walter Reed Drive, and thence north on Walter Reed Drive to Four Mile Run Drive.

COLUMBIA PIKE CORRIDOR TECHNOLOGY ZONE:

Being all parcels with commercial, mixed use or public use zoning within the boundaries of the "Columbia Pike Special Revitalization District"; as such district is more specifically defined on the County's General Land Use Plan, and said Plan's Note #8, as such may be amended; and as the sub-components of such District are further more precisely defined in the Regulating Plans of the Form-Based Code for Columbia Pike, for each of "Town Center", "Village Center", "Neighborhood Center" and "Western Gateway" areas.

PROPERTIES LOCATED WITHIN COMMERCIAL/MIXED USE (C) DISTRICTS AND INDUSTRIAL (M) DISTRICTS AS CLASSIFIED IN THE ARLINGTON COUNTY ZONING ORDINANCE.

(Ord. No. 03-02, 2-25-03; Ord. No. 06-01, 1-21-06; Ord. No. 07-11, 9-8-07; Ord. No. 14-09, 12-13-14)