

**MOTION: NOHE**

**June 21, 2016  
Regular Meeting  
Res. No. 16-553**

**SECOND: ANDERSON**

**RE: INITIATE A ZONING TEXT AMENDMENT TO ALLOW BY-RIGHT DEVELOPMENT OF RETAIL USES EXCEEDING 80,000 SQUARE FEET IN GROSS FLOOR AREA IN APPROPRIATE LOCATIONS**

**ACTION: APPROVED**

**WHEREAS**, in accordance with Section 15.2-2285 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, convenience, general welfare and good zoning practice require such change; and

**WHEREAS**, the Board of County Supervisors established the Commercial Development Committee to assist the County with developing recommendations to improve the development process for commercial projects; and

**WHEREAS**, the Commercial Development Committee formed a Development Ordinance Review Team to conduct a review of the County's Design and Construction Standards Manual and Zoning Ordinance and identify changes or additions to be considered for adoption to further promote Prince William County as "Open for Business"; and

**WHEREAS**, beginning in March of 2016, the Development Ordinance Review Team reviewed the Design and Construction Standards Manual and the Zoning Ordinance and recommended amendments to the Commercial Development Committee which recommended the amendments to the Board; and

**WHEREAS**, the amendment would allow by-right retail uses exceeding 80,000 square feet in gross floor area in appropriate locations; and

**WHEREAS**, this resolution will authorize the staff time and resources necessary for research, analysis and to conduct public hearings with the Planning Commission and the Board of County Supervisors; and

**WHEREAS**, amending the Zoning Ordinance for the above-referenced issue is required by public necessity, convenience, general welfare and good zoning practices, and is consistent with Section 15.2-2283 of the Code of Virginia, Ann.;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors does hereby initiate an amendment to the Prince William County Zoning Ordinance to allow by-right development of retail uses exceeding 80,000 square feet in gross floor area in appropriate locations.

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**Votes:**

**Ayes:** Anderson, Candland, Nohe, Principi, Stewart

**Nays:** Caddigan, Jenkins, Lawson

**Absent from Vote:** None

**Absent from Meeting:** None

**For Information:**

Planning Director

County Attorney

ATTEST: \_\_\_\_\_

  
Clerk to the Board



Christopher E. Martino  
Acting County Executive

## COUNTY OF PRINCE WILLIAM

OFFICE OF EXECUTIVE MANAGEMENT  
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BOA

**10-A-E**  
Corey A. Stewart, Chairman  
Pete Candland, Vice Chairman  
Ruth M. Anderson  
Maureen S. Caddigan  
John D. Jenkins  
Jeanine M. Lawson  
Martin E. Nohe  
Frank J. Principi

June 6, 2016

**TO:** Board of County Supervisors

**FROM:** Christopher M. Price, AICP *amm*  
Director of Planning

**THRU:** Christopher E. Martino  
Acting County Executive

**RE:** Initiate Design Construction and Standards Manual (DCSM)/Zoning Text  
Amendments Recommended by the Commercial Development Committee –  
**Countywide**

**I. Background is as follows:**

- A. Purpose of the Zoning Ordinance – Section 15.2-2283 of the Code of Virginia states that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public.
- B. Commercial Development Committee (CDC) – The Board of County Supervisors (Board) established the CDC to assist the County with developing recommendations to improve the development process for commercial projects.
- C. Development Ordinance Review Team (DORT) – The CDC formed the DORT to conduct a review of the County’s DCSM and Zoning Ordinance and identify changes or additions to be considered for adoption to further promote Prince William County as “Open for Business.”
- D. DORT Review – Beginning in March of 2016 the DORT reviewed the DCSM and the Zoning Ordinance and recommended the following amendments be recommended to the Board by the CDC:
  1. Buffers – Re-evaluate buffer requirements to reduce their impact on business development:
    - Evaluate buffer requirements for all zoning districts and uses.

- Allow additional encroachments and/or shared uses within buffers such as trails, utilities, and stormwater management facilities.
  - Review the requirements for 10' landscape strips around property lines, particularly internal to a larger development.
  - Evaluate DCSM Table 8-1, Minimum Buffer Area Required.
2. Mixed-use Zoning Districts – Allow flexibility in the mix of uses and development standards for mixed-use developments:
- Revise to current market standards (uses, definitions, buffers, etc.).
  - Allow the market to determine the mix of industrial, commercial, and office.
  - Create a separate development standards section for only mixed-use development.
  - Address mixed uses within a single building.
  - Add a mix of uses within industrial districts.
  - Consider amending the B-1, General Business, and M-1, Heavy Industrial & M-2, Light Industrial zoning districts to allow indoor recreation facilities.
  - Consider provisions for Floor Area Ratios (FAR) to allow them to be satisfied by multiple lots.
3. Signs – Allow more flexibility in the design and location of signs including off-site signs and shared signage:
- Allow off-premise signs by-right particularly where residual lots from a right-of-way taking lie between the road and the business.
  - Review sign regulations and permitting requirements.
  - Be more flexible on by-right signs.
  - Review whether or not the County should require an SUP for signage (or only specific types of signs).
  - Allow shared signage for separate lots (currently not permitted within the Zoning Ordinance).

4. Special Uses and Use-related Development Standards – Allow administrative approvals for certain special uses, special use permit amendments, and modifications to use-related development standards:
  - Consider, for example, allowing increased outdoor storage in M-2 vs. requiring a rezoning to M-1.
  - Consider, for example, administrative approval for a drive-thru when stacking design is the only issue.
  - Consider, for example, administrative approval to add a second lane/speaker for a drive-thru.
  - Identify ways to address smaller projects through Provisional Use Permits with standard conditions.
  - Consider proximity to residential, enhanced screening/buffering, nuisance lighting, and noise.
  
5. Big Box Ordinance – Allow by-right development of retail uses exceeding 80,000 square feet (SF) in gross floor area in appropriate locations:
  - Maintain 80K SF threshold, however add stipulations for administrative approval to exceed 80K when the proposed big box store is a certain distance from a residential community.
  - Stipulations may include: anti-graffiti, redevelopment requirements.
  - Identify the ideal locations of big box retail stores.
  - Shopping center rezoning – write into proffers – NO SUP requirement for a big box retail store.

**II. Current Situation is as follows:**

- A. BOCS Initiation – The Board of County Supervisors will consider this request at its scheduled meeting on June 21, 2016.
  
- B. Board Action Requested – Is as follows:
  1. Buffers – Initiate a Design and Construction Standards Manual amendment and a zoning text amendment to re-evaluate buffer requirements to reduce their impact on business development.
  
  2. Mixed-Use Zoning Districts – Initiate a zoning text amendment to allow

flexibility in the mix of uses and development standards for mixed-use developments.

3. Signs – Initiate a zoning text amendment to allow more flexibility in the design and location of signs including off-site signs and shared signage.
4. Special Uses and Use-Related Development Standards – Initiate a zoning text amendment to allow administrative approvals for certain special uses, special use permit amendments, and modifications to use-related development standards.
5. Big Box Retail – Initiate a zoning text amendment to allow by-right development of retail uses exceeding 80,000 square feet in gross floor area in appropriate locations.

**III. Issues** in order of importance are as follows:

- A. Policy – Does initiation of the proposed amendments further the purposes of the Zoning Ordinance?
- B. Fiscal Impact – Are there budget or financial impacts?
- C. Legal – What legal requirements should guide decisions to initiate or not initiate proposed amendments?
- D. Timing – Is there a time frame for BOCS to take action?

**IV. Alternatives** beginning with the staff recommendation are as follows:

- A. Initiate the DCSM and zoning text amendments requested by the CDC – The following policy issues are relevant to this request:
  1. Policy –
    - a. Buffers – Buffers help reduce conflict between abutting incompatible uses. As uses change over time and other regulations such as stormwater management regulations create more demand on land resources, buffer requirements should be re-evaluated to look at integrating or collocating buffers with other required facilities.
    - b. Mixed-Use Zoning Districts – Mixing uses on a lot or within the same building requires more flexible design standards. The Zoning Ordinance should be updated to reflect new ideas and address the opportunity and challenges of mixed-use development.

- c. Signs – Good sign regulations preserve the aesthetics of a community and ensure public safety while allowing businesses to inform customers about who they are and where they are located. The current sign regulations should be updated to provide additional flexibility to businesses while maintaining a safe and attractive community.
  - d. Special Uses and Use Related Development Standards – A special use is a use that, owing to some special characteristics attendant to its operation or installation, is permitted in a district but needs some site specific review and special development conditions approved by the Board. Review and approval of special use permits and amendments can take six to nine months. The Board is asked to consider if all special uses need this lengthy process or can some standard set of development conditions be applied administratively to address the impacts of some special uses. Also, the CDC asks if some flexibility can be provided for existing special use permits so that changes which do not have substantial impacts can be administratively approved. Finally, some zoning districts have development standards for specific uses, like outdoor storage, that cannot be waived or modified which is causing the need for expensive and lengthy rezoning applications.
  - e. Big Box Retail – Section 32-400.17 of the Zoning Ordinance outlines the standards for development of a retail use exceeding eighty thousand square feet (big box retail). The CDC believes that not all big box retail require a special use permit, but in specific locations big box retail should be by-right if it complies with the development standards with an administrative approval.
2. Fiscal Impact – There is no direct fiscal impact due to initiation of the proposed zoning text amendments, but staff time and resources will be necessary for research, analysis, and to conduct public hearings for the Planning Commission and the Board of County Supervisors.
  3. Legal – Initiation of a zoning text amendment does not mean that the Board must approve the amendment after it is studied; it instead begins the process for consideration. Other legal issues are appropriately addressed by the County Attorney's Office.
  4. Timing – There is no requirement to take action within a certain amount of time for zoning and Design and Construction Manual text amendment requests.

B. Take No Action

1. Policy – There would be no change to the existing Zoning Ordinance or DCSM to address the concerns of the Commercial Development Committee.
2. Fiscal Impact – No fiscal impacts are identified if the Board of County Supervisors takes no action on the request.
3. Legal – Legal issues are appropriately addressed by the County Attorney's Office.
4. Timing – There is no requirement to initiate zoning text amendments or DCSM amendments.

V. **Recommendation** If the BOCS chooses to advance the recommendations of the CDC, staff recommends that the Board concur with Alternative A and approve the attached resolutions.

**Staff:** Chris Price, 703-792-7615





Prince William County Government  
Board of County Supervisors



## Initiate DCSM/Zoning Text Amendments Recommended by the Commercial Development Committee (Countywide)

*Chris Price  
Planning Office*

## BACKGROUND

- Commercial Development Committee established a Development Ordinance Review Team to identify changes or additions to the DCSM and Zoning Ordinance to further promote Prince William County as **“Open for Business”**
- Team met and prioritized five changes
- CDC recommends initiating these amendments

June 21, 2016 Countywide [2]

## TEXT AMENDMENTS

- Buffers – Re-evaluate buffer requirements to reduce their impact on business development.
- Mixed-use Zoning Districts – Allow flexibility in the mix of uses and development standards for mixed-use developments.
- Signs – Allow more flexibility in the design and location of signs including off-site signs and shared signage.
- Special Uses and Use-related Development Standards – Allow administrative approvals for certain special uses, special use permit amendments and modifications to use-related development standards.
- Big Box Ordinance – Allow by-right development of retail uses exceeding 80,000 square feet in gross floor area in appropriate locations.

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## RECOMMENDATION

- If the BOCS chooses to advance the recommendations of the CDC, staff recommends initiation.

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