



COUNTY OF PRINCE WILLIAM

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PLANNING
OFFICE

Christopher M. Price, AICP
Director of Planning

May 9, 2014

STAFF REPORT

Zoning Text Amendment #PLN2014-00272, M/T and M-2 Districts Moving and Storage
(Countywide)

Planning Commission Public Hearing Date: May 21, 2014

Staff Recommendation: Adoption

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. Purpose of Amendment – Currently the M-1 Heavy Industrial district is the only district that permits moving and storage. The purpose of the M/T Industrial Transportation district is to accommodate uses which generate considerable truck and/or heavy equipment traffic or require access to more than one mode of transportation. Moving and storage businesses fit within this defined purpose, and therefore should be located within the M/T district. At the same time, the M-2 Light Industrial district is designed to accommodate warehousing uses. Since moving and storage is a form of warehousing but has the potential to be more intense than other warehousing operations, this use should be permitted in the M-2 Light Industrial district by special use permit.

Moving and Storage	Existing	Proposed
M/T	Not included by-right or by SUP	Permit as By-right Use
M-2	Not included by-right or by SUP	Permit by SUP

- C. Proposed Remedy – To amend Article IV of the Prince William County Zoning Ordinance to permit moving and storage in the M/T Industrial Transportation and M-2 Light Industrial Zoning Districts. See Attachment A – Proposed Text Amendment.

II. Current Situation is as follows:

- A. Application of Current Language – This zoning text amendment is in response to inquiries about locating moving and storage businesses within the M/T Heavy Industrial district. On February 11, 2014, Chairman Stewart (DIR 14-16) requested that staff prepare for the Board of County Supervisors' consideration, an initiation of a zoning text amendment to evaluate the fact that moving and storage businesses are permitted in the M-1, Heavy Industrial district, but not in the M-T, Industrial Transportation or M-2, Light Industrial districts.
- B. Zoning Text Amendment Initiated – On March 11, 2014, the Board of County Supervisors initiated a zoning text amendment to amend Article IV of the Prince William County Zoning Ordinance to permit moving and storage in the M/T, Industrial Transportation, and M-2, Light Industrial, districts. See Attachment B – BOCS Initiating Resolution.
- C. Zoning and Development Review Advisory Committee – The committee reviewed the proposed text amendment on March 21, 2014 and recommended approval.
- D. Planning Office Recommendation – The Planning Office recommends approval of Zoning Text Amendment #PLN2014-00272, M/T and M-2 Districts Moving and Storage.
- E. Planning Commission Public Hearing – A public hearing before the Planning Commission has been advertised for May 21, 2014.

III. Issues in order of importance are:

- A. Policy – Does the amendment further the purposes of the Zoning Ordinance?
- B. Community Input – Have members of the community raised any issues?
- C. Legal – Are there any legal implications associated with this zoning text amendment?
- D. Timing – What are the timing considerations of the zoning text amendment?

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

- A. Recommend Adoption of Zoning Text Amendment #PLN2014-00272, M/T and M-2 Districts Storage and Moving, to the Prince William County Zoning Ordinance.

1. Policy – The proposed text will provide for a use that will implement the intent of the Zoning Ordinance to encourage economic development activities that provide desirable employment and enlarge the tax base. Moving and storage uses are compatible with the intent of the M/T district, which is to provide for heavy industrial uses, particularly including those which generate considerable truck and/or heavy equipment traffic. The provision for moving and storage uses in the M-2 district by special use permit will allow for uses that are similar to warehousing and for which the impacts can be controlled with specific special use permit conditions.
 2. Community Input – The Planning Office has not received any comments from the community as of the date of this staff report.
 3. Legal – The adoption of the zoning text amendment will incorporate the proposed restrictions and requirements into the Zoning Ordinance, which is enforceable by the County. Legal issues resulting from Planning Commission action would be appropriately addressed by the County Attorney’s Office.
 4. Timing – The Planning Commission has until August 19, 2014, 90 days from the first public hearing, to take action on this proposal. A recommendation to adopt the zoning text amendment would meet the 90-day requirement.
- B. Do Not Recommend Adoption of Zoning Text Amendment #PLN2014-00272, M/T and M-2 Districts Storage and Moving, to the Prince William County Zoning Ordinance.
1. Policy – Not recommending adoption of the proposed text will preclude the reasonable use of properties in the M/T and M-2 zoning districts for moving and storage businesses and run counter to the Zoning Ordinance intent to encourage economic development activities that provide desirable employment and enlarge the tax base.
 2. Community Input – The Planning Office has not received any comments from the community as of the date of this staff report.
 3. Legal – Legal issues resulting from Planning Commission action would be appropriately addressed by the County Attorney’s Office.
 4. Timing – The Planning Commission has until August 19, 2014, 90 days from the first public hearing, to take action on this proposal. A recommendation to not adopt the zoning text amendment would meet the 90-day requirement.

- V. **Recommendation** is that the Planning Commission concur with Alternative A and recommend adoption of Zoning Text Amendment #PLN2014-00272, M/T and M-2 Districts Storage and Moving.

Staff: Nick Evers, 703-792-6861

Attachments:

- A. Proposed Text Amendment
- B. BOCS Initiating Resolution

Attachment A – Proposed Text Amendment

PART 403. INDUSTRIAL DISTRICTS

Sec. 32-403.20. M-2, Light Industrial Zoning District; Purpose and Intent.

The M-2 district is intended to implement the flexible use employment center land use classification of the Comprehensive Plan. It is also intended to implement the industrial employment center land use classification as a transition to the flexible use employment center land use classification. The purpose of this district is to also promote employment opportunities and to enhance the tax base of Prince William County. It is designed to provide areas for research and development centers, light industrial manufacturing, warehousing, wholesaling and related office and institutional uses, and not for retail and service uses except in support of the uses primarily intended.

Sec. 32-403.23. Special Uses.

The following uses shall be permitted in the M-2 district with a Special Use Permit:

1. Ambulance service maintenance facility.
2. Assembly (HAZMAT).
3. Donated materials collection center.
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- 8 Moving and Storage

[Subsequent uses to be numbered accordingly]

Sec. 32-403.30. M/T, Industrial/Transportation; Purpose and Intent.

The M/T district is intended to implement the industrial employment land use classification of the Comprehensive Plan. The purpose of this district is to also promote employment opportunities and to enhance the tax base of Prince William County. It is designed to provide areas for and encourage development of heavy industrial uses, and in particular for including those which generate considerable truck and/or heavy equipment traffic, or which require access to more than one mode of transportation. Facilities involving specialized transportation and industrial equipment, together with related supporting services, should be located in the M/T district since, by their nature, such uses must be served by transportation facilities capable of handling the type and amount of traffic generated.

Attachment A – Proposed Text Amendment

Sec. 32-403.32. Uses Permitted by Right.

The following uses shall be permitted by right in the M/T district:

1. Alarm system operations, offices.
2. Ambulance service, commercial.
3. Ambulance service
-
-
- 49 Moving and Storage.

[Subsequent uses to be numbered accordingly]

Attachment B – BOCS Initiating Resolution

MOTION: MAY **March 11, 2014**
SECOND: PRINCIPI **Regular Meeting**
Res. No. 14-168

RE: **INITIATE A ZONING TEXT AMENDMENT TO AMEND ARTICLE IV OF THE PWC ZONING ORDINANCE TO PERMIT MOVING AND STORAGE IN THE M/T INDUSTRIAL TRANSPORTATION AND M-2 LIGHT INDUSTRIAL ZONING DISTRICTS – COUNTYWIDE**

ACTION: **APPROVED**

WHEREAS, in accordance with Title 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, health, safety, convenience, general welfare and good zoning practice necessitate such change; and

WHEREAS, the Zoning Ordinance permits Moving and Storage as a by-right use only in the M-1 Heavy Industrial District; and

WHEREAS, Moving and Storage is a use that is compatible with the purpose of M/T Industrial Transportation District, as well as the M-2 Light Industrial District; and

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

WHEREAS, on February 11, 2014, Chairman Stewart (DIR 14-16) requested that staff prepare for the Board of County Supervisors' consideration an initiation for a Zoning Text Amendment that would evaluate the fact that Moving and Storage Business are permitted in the M-1 Heavy Industrial Zoning District, but not in the M/T Industrial Transportation on M-2, Light Industrial Districts; and

WHEREAS, Moving and Storage is a use that is compatible with other uses in the M/T Industrial Transportation and M-2 Light Industrial Zoning Districts; and

WHEREAS, the Prince William Board of County Supervisors believes that public general welfare, as well as good zoning practices are served by the initiation of this Zoning Text Amendment;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors does hereby initiate a Zoning Text Amendment to the Prince William County Zoning Ordinance to amend Article IV of the Prince William County Zoning Ordinance to permit Moving and Storage in the M/T Industrial Transportation and M-2 Light Industrial Zoning Districts Countywide.

Attachment B – BOCS Initiating Resolution

March 11, 2014
Regular Meeting
Res. No. 14-168
Page Two

Votes:

Ayes: Caddigan, Candland, Covington, Jenkins, May, Nohe, Principi, Stewart

Nays: None

Absent from Vote: None

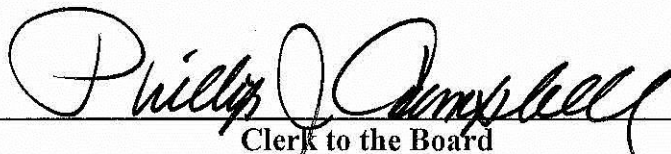
Absent from Meeting: None

For Information:

Planning Director

County Attorney

ATTEST: _____


Clerk to the Board