



# STAFF REPORT

<b>Board Meeting Date:</b>	June 27, 2023
<b>Agenda Title:</b>	Authorize initiation of a Zoning Text Amendment to Section 32-201.18 to Allow Greater Flexibility in Landscape Area Requirements for Public Lots
<b>District Impact:</b>	Countywide
<b>Requested Action:</b>	Approve the resolution to initiate a zoning text amendment to Section 32-201.18.
<b>Department / Agency Lead:</b>	Planning Office
<b>Staff Lead:</b>	David J. McGettigan, Sr., AICP, Acting Planning Director

## **EXECUTIVE SUMMARY**

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The Prince William County Service Authority (PWCSA) has numerous pump stations that are approaching the end of their useful life and need to be reconstructed or expanded. While public facilities are exempt from many development requirements of the Zoning Ordinance, Section 32-201.18 – Lots for Public Use requires a 15’ peripheral landscape area. Many of these pump stations cannot meet this requirement because the existing lot or easement does not provide sufficient space for this landscaping.

To remedy this situation, staff is recommending the initiation of a zoning text amendment to provide two (2) additional options for screening public facilities. First, provide the landscape area off-site within an easement. Second, provide an eight (8) foot-tall opaque fence or wall.

It is the recommendation of staff that the Prince William Board of County Supervisors (Board) initiate a zoning text amendment to modify landscape area requirements for public lots. This will authorize staff time and resources necessary for research, analysis and to conduct public hearings with the Planning Commission and the Board.

## **BACKGROUND**

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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. The purpose and intent of County Code Sec. 32-201.18 is to address development standards for lots for public use. Part (a) of this section states:

*Lots for any public use, except public buildings, may be developed and used even if not meeting the minimum area or other regulatory requirements of the applicable zoning district. Except where otherwise required in accordance with table 8-1 of the Design and Construction Standards Manual, a minimum 15-foot peripheral landscape area shall be established and maintained that meets type A buffer standards in accordance with section 800 of the Design and Construction Standards Manual where such lot contains a permanent structure above the height of three feet.*

The current zoning regulations allow no flexibility in meeting the requirement for a 15-foot peripheral landscape area. This is problematic for the reconstruction or expansion of older public facilities that were developed without the required peripheral landscape area or whose lots or easements did not provide space for expansion.

For example, the PWCSA has numerous pump stations that are approaching the end of their useful life and need to be reconstructed or expanded. Many of these aging pump stations cannot meet the peripheral landscape area requirement because the existing lot or easement does not provide sufficient space for this landscaping.

To remedy this situation, staff is recommending initiation of a zoning text amendment to provide two (2) additional options for screening public facilities. First, provide the landscape area off-site within an easement. Second, provide an eight (8) foot-tall opaque fence or wall. The proposed language is attached to the initiating resolution.

## **STAFF RECOMMENDATION**

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Staff recommends that the Board authorize initiation of a zoning text amendment to Section 32-201.18 to allow greater flexibility in landscape area requirements for public lots.

### **Service Level / Policy Impact**

This zoning text amendment will provide flexibility to screen public facilities where, because of existing conditions, current standards cannot be met. Initiation of this zoning text amendment will allow public uses, like the Service Authority pump stations, that need reconstruction and expansion with very constrained sites to be improved with screening options to meet the intent of the ordinance.

### **Fiscal Impact**

There is no direct fiscal impact due to initiation of the proposed zoning text amendment, but staff time and resources will be necessary for research, analysis, and to conduct public hearings for the Planning Commission and the Board.

### **Legal Issues**

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.

### **Timing**

There is no requirement to act within a certain amount of time for zoning text amendment requests, but the PWCSA needs to begin reconstruction of aging pump stations within the next six (6) months.

### **STAFF CONTACT INFORMATION**

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