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PRINCE WILLIAM OFFICE

Land Use Newsletter

July 2008

New Department of Development Services

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Prince William County has created a new Department of Development Services whose objective is to streamline the development process, especially for non-residential projects, to reduce review time and permitting fees. Wade Hugh is the Acting Director of the new Department.

New business practices to be implemented include: early assistance, project facilitation coordinators and multi-disciplinary teams.

The new Department is located at 5 County Complex Court and combines the Land Development Division (from the Planning Office) and the Building Development Division (from the Department of Public Works) with the Development Ombudsman, and the Project Early Assistance Desk.

Additional information is available from the Department's website: www.pwcgov.org/DDS.

Did you know...

...that BRAC is expected to relocate about 22,000 personnel to Ft. Belvoir and about 2,600 personnel to Quantico?

...and will involve the construction of about 7,000,000 square feet of new office/hospital facilities at Ft. Belvoir and about 712,000 square feet of office space at Quantico?

Prince William County Zoning Ordinance Update

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The Zoning Administrator has prepared draft revisions to the text of the Zoning Ordinance, which cover a wide range of changes, both substantive and procedural. Staff's proposed revisions will first be reviewed by the Zoning Ordinance Review Committee (ZORC), and then will proceed to work sessions and public hearings before the Planning Commission and Board of County Supervisors (BOCS).

Proposed changes at this time include:

- Definitions: tool and equipment rental; equipment storage; event halls; frontage; lot; retirement /age-restricted/nursing home uses; live entertainment.
- Signage: electronic display/changeable copy; banners.
- Development regulations: buffer area encroachments; outdoor lighting; breezeways; standards for: A-1, R-4, two-over-two townhomes; rooftop solar equipment; lower FAR; motor vehicle repair/vehicle parking on residential lots; farm wineries; drive-through uses; indoor commercial recreation centers; modular sales offices.
- Nonconforming uses: re-verification requirements; conformance with State Law.

Additional information is available at <http://www.pwcgov.org/docLibrary/PDF/006545.pdf>, or by contacting Pete Dolan or Jay du Von.

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New State Law – Nonconforming Structures

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A new law took effect on July 1st which curtails the right of local governments to require landowners to move or tear down structures that are nonconforming as to zoning requirements.

The new law revises §15.2-2307 of the Code of Virginia to create a safe harbor in certain circumstances for property owners who may have nonconforming structures.

It provides that local governments can no longer mandate the removal of nonconforming structures if: (i) the local government issued a building permit, the building was constructed in accordance with the building permit, and upon completion of the building, the local government issued a certificate of occupancy for the structure; or (ii) the owner of the building has paid taxes to the locality for the structure for more than 15 years.

Prince William County will be revising its Zoning Ordinance in connection with the update now underway in accordance with the new state mandate.

Questions regarding the new law can be directed to Pete Dolan.

Comprehensive Plan Update – Upcoming Meetings

Planning Commission Work Sessions: July 30, August 6 (possible), September 10 (possible)

Planning Commission Public Hearing: September 3

BOCS Public Hearing: October 21

All dates are subject to change.

Manassas Battlefields Viewshed Study

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The Prince William County Planning Office is managing a grant from the National Park Service's American Battlefield Protection Program in cooperation with Manassas National Battlefield Park (MNBP) to identify viewsheds both within and outside the boundary of MNBP and to recommend strategies to preserve and enhance these viewsheds. A steering committee comprised primarily of representatives of various historic preservation interest groups is overseeing the study.

Two levels of viewsheds have been identified based on locations within MNBP: Public Vantage Point Viewsheds (10 sites) having greatest significance with reference to the two battles of Manassas and Historically Based Viewsheds (15 sites) having somewhat less significance with reference to the battles but with a relationship to the Public Vantage Points. The study will include recommendations for preserving the identified viewsheds, which could include fee simple acquisition of property, acquisition of easements, zoning restrictions in the form of overlay districts, height and signage limitations, buffers, etc.

A final draft of the consultant report is due in October and will be available for public comment prior to the presentation of a Final Viewshed Preservation Plan to the BOCS in January 2009. Anyone with property interests in the general vicinity of MNBP should be aware of this ongoing planning effort and the potential impact on future development opportunities. For more detailed information, call or email Mike Lubeley or Susan Flanigan.

The information in this newsletter should not be construed as legal advice. Readers with needs on specific issues should seek the services of legal counsel.

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