

Summary of Staff Recommendation: Rural Preservation

The Board of County Supervisors directed staff to bring forward recommendations from the 2014 Rural Preservation Study. The first recommendation of the Study was to adopt a vision. Additional recommendations of the Rural Preservation Study include implementing policies to incentivize land preservation through Purchase of Development Rights (PDR), Transfer of Development Rights (TDR), rural cluster with dedication of permanent conservation easements, and policies aimed at studying and stimulating a rural economy.

This is a summary of the staff recommendation for tools to permanently preserve open space in the rural area. Full texts of the draft policies and ordinance are in separate documents linked on the County's website. These recommendations will eventually be scheduled for public hearings before the Planning Commission and the Board of County Supervisors. The Planning Commission may recommend approval of the entire package of recommendations, or may choose to recommend portions of these tools, or they may recommend no action or policy change. Likewise, the Board of County Supervisors may adopt these tools in whole, or in part, or choose to take no action and retain the existing land use policies in the Comprehensive Plan today. When staff reports are written, it is likely that staff will provide multiple alternatives for Planning Commission and Board consideration. This summary is of the staff recommendation.

The Planning Office hosted two meetings to gather input on a draft vision and on a series of potential alternative options. In addition to the input meetings, the County received hundreds of written comments. Staff has attempted to address many of the concerns raised by citizens in the draft recommendations. The Planning Office used the following from which to base these draft recommendations:

- 2014 Rural Preservation Study
- Public input
- Research into other jurisdictions policies and ordinances to preserve open space, including Montgomery County, MD, Stafford County, VA, Frederick County, VA, among others
- Reaffirming the Comprehensive Plan's definition of protected open space, which does not include a property's private yard
- Current development trends in the Rural Area are resulting in an increasing annual loss of undeveloped/farmed acreage in the rural area which coincides with an increase of development of residential subdivisions

In summary, the Planning Office believes that some of the recommendations in the 2014 Rural Preservation Study were too intense and recommended inappropriate levels of density within the County's rural areas. Likewise, many citizens expressed concern at the development of the transitional ribbon, therefore, staff does not recommend adoption of a transitional ribbon. Staff also heard concerns about the extent of sewer extension in the rural area, therefore staff is not recommending a county-wide extension of sewer and instead recommends tools that would enable the creation of physical barriers through grant of permanent conservation easement to prohibit the crossing of sewer easements. There was concern expressed about the lack of Development-Area TDR receiving areas, which staff has addressed by recommending several Regional Activity Centers in the Development Area as receiving areas for TDRs. Citizens expressed concern with increased density in rural cluster subdivisions, therefore staff does not recommend a county-wide increase of density in the rural cluster regulations. Some expressed a concern with further downzoning the A-1, Agriculture zoning district and to address this concern staff is not recommending a change to the minimum lot size in the A-1 zoning district. These are just a few examples of how staff has addressed citizen input.

The recommendations have been adapted to address staff and citizen concerns to the greatest extent possible. Therefore, the Planning Office recommends the following strategies be adopted in total, which would allow property owners in the Rural Area a variety of methods to permanently preserve open space and farm land:

1. Adopt the draft Rural Area Sector Plan. The Plan includes adoption of the vision statement and recommends policies and action strategies that are aimed at achieving the vision that the community created through the public outreach process. The Rural Area Sector Plan also includes maps to support the policy recommendations of creating Purchase of Development Rights areas, Transfer of Development Rights (sending and receiving areas), Conservation Residential with permanent conservation easements, and Agritourism and Rural Economy.

Vision statement

As part of the overall vision to encourage people to live, work, play, and retire in our community, Prince William County recognizes access to open space and agricultural viewsheds contribute to a high quality of life; as such, the County:

- preserves protected open space, environmental resources, and cultural resources;
- honors and respects property rights of county landowners;
- promotes availability of farmland (via easements) and agritourism.

[Rural Area Plan Draft](#)

2. Adopt a Purchase of Development Rights Ordinance into the County Code. Properties identified for eligibility in the PDR ordinance are properties located within the Rural Area and a minimum of 20 acres in size. The PDR program, if adopted, needs a funding source identified by the County to finance the program and may need to identify funding for the administration of the program. Staff believes this may require the portion of a full-time employee to administer the program. The County could apply for conservation easement funds through private organizations, and other entities, to leverage County funds and achieve a higher number of development right severances annually. Staff acknowledges that funding, and the ability to sever development rights in the County, is limited. It would not be a very effective tool, on its own, to preserve open space, due to the potentially limited funding available. Therefore, staff recommends other rural preservation tools be adopted along with the PDR ordinance.

[PDR Draft](#)

3. Adopt an amendment to the Long-Range Land Use Map to identify a new use classification of Conservation Residential within select areas of the Rural Area and adopt a Zoning Text Amendment for a new zoning district: CR-1, Conservation Residential. The Conservation Residential designation would allow extension of sewer and would require units be clustered, requiring 60% of the property to be dedicated in a permanent conservation easement. Actualization of this classification requires a rezoning which would provide proffers to mitigate its impacts. This contrasts with the current residential policy in the rural area which allows unproffered by-right development. The rezoning also requires the buffer around the entire property be restricted so that no sewer easements or crossing of any kind is permitted within the buffer area, effectively creating a permanent “green” obstacle to sewer extension into rural areas. The 60% of open space will be placed in a permanent conservation easement and be located adjacent to the Rural Area. Easement terms could include farming, passive recreation or open space as determined through the rezoning process.

[Conservation Residential Draft](#)

4. Adopt a Transfer of Development Rights Ordinance in the Zoning Ordinance. Properties are eligible for this TDR program if the properties do not currently have a structure, and any property with a structure exceeding 20 acres of area. Property owners can market their development rights to home builders. Staff has identified three locations within the Rural Area, four locations in the Development Area (Regional Activity Centers) and provides for other jurisdictions outside of PWC to be receiving areas. The receiving areas located in the Rural Area are limited and can receive far fewer units than the receiving areas in the Development Area.
 - a. Receiving areas within the Rural Area are required to develop according to the development standards in the proposed Conservation Residential zoning district, and would allow connection to public sewer. They must be single family lots with a minimum acreage of one acre per dwelling unit with 60% of open space dedicated in a permanent conservation easement. A buffer around the entire property must be identified and no sewer easements may cross or traverse the buffer, which provides a permanent barrier for extension of sewer into rural areas.
 - b. Receiving areas in the Development Area are required to be developed as multifamily units and must meet the development standards identified in the PMR zoning district.

To incentivize utilization of this tool to preserve open space and farmland, properties identified in the Agriculture and Forest Rural Character Area may transfer at a density of one unit per five acres and properties identified in the Estates and Subdivisions Rural Character Area may transfer at a density of one unit per three acres. Staff believes this is a more effective tool to preserve open space because it incentivizes use of the program and allows private citizens to fund the transfer through a development right purchasing process. The parcel transferring the development rights would then be placed in a permanent conservation easement. If the County adopts this program, there will need to be funding allocated to the administration of the program, which may require additional full-time employees.

[TDR Draft](#)

5. Adopt a new zoning overlay district entitled Arts & Agritourism Overlay District. This district addresses the recommendation of promoting agritourism and stimulating the rural economy. It allows for arts and agritourism activities to occur in a more flexible policy environment through the overlay district.

[Arts and Agritourism Overlay District Draft](#)

The Planning Office has estimated the potential impacts of the use of these tools. Since a property owner may have a variety of tools to choose from, it is difficult to know exactly the makeup of the tools eventually implemented. Therefore, staff has estimated the greatest possible impact in each recommendation, knowing that the final impacts may fluctuate based on final implementation.

[Impact Table Draft](#)

The associated ordinances and policy documents are draft and will remain in draft form if and until they are adopted by the Board of County Supervisors. Staff expects that additional comments from citizens, the Planning Commission and Board of County Supervisors will impact the final version of these draft ordinances and policy documents throughout the remainder of this process.