



**TOWN OF OCCOQUAN
PLANNING COMMISSION**
Town Hall - 314 Mill Street, Occoquan, VA 22125

MEETING DATE: 2022-07-26
MEETING TIME: 6:30 PM

Present: Chairperson Eliot Perkins, Commissioners Darryl Hawkins, Ralph Newell, Ryan Somma, Don Wood

Absent: Commissioner Ann Kisling

Town Staff: Martin Crim, Town Attorney (remote); Sara Fila, Zoning Administrator (remote); Kirstyn Jovanovich, Town Manager; Matt Whitmoyer, Management Fellow

1. Call to Order

The Planning Commission meeting was called to order by Chairman Perkins on 2022-07-26, at 6:30 p.m.

2. Citizen Comments

Lance Houghton of 127 Washington Street provided a progress update concerning his responding to a notice of violation of town ordinances regarding activities on the side of the hill along Commerce Street. He has met with the Town Zoning Administrator, who recommended submitting a plan. Houghton is working with an arborist to plant cherry trees and crepe myrtles. There will be no planting until the fall, and he will take over the kudzu maintenance on his side of the fence.

3. Approval of Minutes

a. June 28, 2022 Meeting Minutes

Commissioner Wood motioned to approve the minutes. Commissioner Newell seconded. The motion passed unanimously by voice vote.

4. Public Hearing

a. Public Hearing on Zoning Text Amendments to Add Definitions to Town Code § 157.008 and to Add a Section Numbered 157.013 Generally Relating to Solar Facilities

Ms. Fila explained that this initiative came about because a resident asked about installing solar facilities. The Town Code did not allow such facilities in any district because it's not defined. The intent is to establish language defining what can be done concerning solar facilities. The proposed ordinance provides three different definitions for what's allowed for rooftop solar facilities, solar energy facilities, and utility solar facilities. Because the current language does not allow landscape lighting with small solar panels on them or other small portable solar panels, there is amended text to include a definition for temporary photovoltaic facilities.

Chairperson Perkins asked about rooftop solar facilities and height. Commissioner Newell asked about the portion pertaining to visibility from a public street, noting that all rooftops are visible from the 123 bridge. Mr. Crim explained this only applies to the historic district, but it does pertain to all public streets and those would need certificate of appropriateness from the Architectural Review Board (ARB). Commissioner Wood asked about Prince William County's (PWC) existing permitting for solar panels. Mr. Crim said that county zoning doesn't apply within the Town limits.

Chairperson Perkins opened the public hearing at 6:37pm.

Lance Houghton of 127 Washington Street asked several questions about the proposed code. What about buildings that don't meet the setback requirements, and if it were possible to put solar facilities on them. What about solar roofs where solar panels are built into the roofs and are indistinguishable from regular roofing? How do historic districts like Alexandria handle solar facilities and were those considered? He noted that 10 or less kilowatts (kW) is a very small amount of energy and doesn't account for future systems that generate more energy. He asked if it is necessary to create more code than is needed for one request. He asked, in general, if the Town takes a position on renewables. He asked if the purpose of the code to maintain the aesthetic of the Town, provide safety, or other reasons.

Chairperson Perkins asked if it was the case that we evaluated other towns. Mr. Crim said they had looked to the county code. Ms. Jovanovich said Houton's question about how solar panels look is more pertinent to ARB and not town code. Chairperson Perkins asked about solar roofs like that look like shingles, and if they would need a certificate of appropriateness. Ms. Jovanovich said the ARB will be responsible for what the facilities look like, and the code provides a broad definition of what's allowed. The intent is to prevent citizens from creating solar fields but allow home-specific solar panels.

Chairperson Perkins asked about the 10-kW restriction. Mr. Crim said he had researched this, and that 6-kW is typical for a single-family dwelling. They had raised that to 10-kW for a margin of safety. The intent is to restrict systems to powering houses and not selling energy back into the grid.

Chairperson Perkins asked about Occoquan's commitment to green energy. Ms. Jovanovich said the Town was exploring this in terms of the SLRF with adding solar panels to town hall and efforts to improve energy efficiency. The intent of the code is to establish a foundation for solar facilities rather than handle cases one-by-one. Residents would need zoning approval from Town and that would be sent to PWC for permitting and the ARB for approval.

Walt Seiberling of Occoquan addressed the Commission. He said he was taken aback by the fact that the Town doesn't allow solar power and did not understand why if something is not mentioned in the code that it is prohibited. He said it should be up to the owner to decide if they want to sell power back to Dominion and not the Town. He said that 10-kW or less is in contradiction to peak power usage of a house, which can be much higher. The Historic District visibility is a constraint because all roofs are visible from the 123 bridge.

Brenda Seefeldt of 309 Commerce and Chairperson of ARB provided an update on what the ARB has been discussing on this matter. Their guidelines use the word "inconspicuous" to describe allowed solar facilities. She noted that roofs are historically protected in Occoquan, and that solar roofs have a glassy sheen to them. If a building has a metal roof, the ARB requests keeping that metal roof.

Lance Houton asked about the Town not wanting citizens selling power back into the grid and how that decision was reached. Mr. Crim said they drafted ordinance based on how properties are being used.

Chairperson Perkins closed the public hearing at 7:15pm.

5. Action Items

a. Request to make a Recommendation to Town Council on Zoning Text Amendments to Add Definitions to Town Code § 157.008 and to Add a Section Numbered 157.013 Generally Relating to Solar Facilities

Planning Commission members had a discussion based on the public input and agreed that the 10-kW restriction was unnecessarily limiting, did not take into account future advancements in solar technology, and that the Town should not prevent private homeowners from selling energy back to Dominion Power. Chairperson Perkins said the ordinance needed the right language and that this public meeting was not the best setting for crafting that. Ms. Jovanovich said that staff direction is to address 10-kW language and sizing of photovoltaic panels to 10 square feet. Chairperson Perkins thanked the audience for their great public input and the fantastic work from Staff.

6. Discussion Items

a. Community Plan Addendum Status Update - Riverwalk Discussion

Chairperson Perkins presented Riverwalk idea sheets to the Commissioners and asked members to fill those sheets in with details.

5. Adjournment

The meeting was adjourned at 7:29 p.m.

Minutes Prepared by Ryan Somma, Planning Commission Secretary