



TOWN OF OCCOQUAN

Town Hall, 314 Mill Street, Occoquan, VA 22125
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PLANNING COMMISSION MEETING

September 27, 2022 | 6:30 p.m.

1. **Call to Order**
2. **Citizen Comments**
3. **Approval of Minutes**
 - a. August 23, 2022 Meeting Minutes
4. **Action Items**
 - a. Request to Consider Zoning Text Amendments to the Town Code Generally Relating to Parking Structures and Set Public Hearing Date
5. **Discussion Items**
 - a. Berkley Riverwalk Planning Proposal
 - b. Planning Commission Priorities Update
 - Riverwalk Visioning
 - North Woodbridge Town Center
 - Alpine X
 - Belmont Bay Expansion Project
6. **Adjournment**

Eliot Perkins
Chair, Planning Commission



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

MEETING DATE: 2022-08-23
MEETING TIME: 6:30 PM

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

Town Staff: Martin Crim, Town Attorney (remote); Bruce Reece, Town Engineer (remote); Matt Whitmoyer, Management Fellow

1. Call to Order

The Planning Commission meeting was called to order by Chairman Perkins on 2022-08-23, at 6:30 p.m.

2. Citizen Comments

There were no citizen comments.

3. Approval of Minutes

a. July 26, 2022 Meeting Minutes

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

4. 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

Concerning the proposed amendments as they relate to the Historic District, Chairperson Perkins asked if the Mill at Occoquan would need a certificate of appropriateness. Mr. Crim confirmed this.

There was a discussion about the definition of Temporary Photovoltaic Facilities. Chairperson Perkins asked how many landscape lighting panels would fit into 10 square feet. Mr. Reece said 160 landscape lights. Commissioner Hawkins said that 10 square feet is half a solar panel. Mr. Crim said the temporary panels are frequently used in RVs and to charge cell phones, and that the intent is to provide for use on private property without permitting commercial use. For this purpose, the current language is fine.

Chairperson Perkins asked about defining rooftop panels to include those installed on the side of house. Mr. Crim said there is difficulty in defining a roof, and the language is an attempt to be generous and fair. Commissioners Hawkins and Wood voiced approval for being generous and fair.

Chairperson Perkins asked why ground-mounted solar panels should not be allowed. Mr. Crim said the issue is about defining something that can stand up to legal scrutiny. Ground-mounted facilities would impact the character of the Town and would not be consistent with the Comprehensive Plan. Chairperson Perkins said the code is not set in stone and can change in the future. Commissioner Somma said ground-mounted panels require clearing trees, which conflicts with Occoquan's status as Arbor Day Tree City town. Commissioner Wood asked if there is a danger to not prohibiting ground-mounted panels. Mr. Crim said that not defining would mean not permitted. Commissioner Wood said he agreed concerning not cutting down trees, but there may be areas where ground-mounted could be possible and the Town wants to encourage solar. Mr. Reece said there are also environmental concerns that goes with ground-mounted solar panels as they relate to water runoff and the Chesapeake Bay watershed.

Commissioner Newell moved to recommend approval of the attached ordinance as presented. Commissioner Kisling seconded. The motion passed unanimously by voice vote.

5. Discussion Items

a. Planning Commission Priorities Update

- Riverwalk Visioning

Chairperson Perkins said he has met with a group to come in and help with the process. The goal is to have a book guiding the Town on the process to develop the riverwalk complete with renderings. Commissioner Wood said he would like the Town to explore swimming in the Occoquan and determine if it's safe, ensure view sheds for the river, and pursue low-impact landscaping. Chairperson Perkins said the Town should explore finding if there are ways to use alleyways and private spaces to provide more access points to the riverwalk. There should be social corners on the riverwalk side with bump-outs to allow for shopping and commerce. Concerning swimming, Chairperson Perkins said the Potomac Riverkeeper Network has a program to train volunteers to test water for recreational safety. They have an app called Swimguide that color codes for river safety and the Town could post these colors at points along the river. They will be making a presentation to Town Council.

- North Woodbridge Town Center

Chairperson Perkins said this development will continue to be important and will represent a large number of residences and businesses. He will work to have someone from that organization come talk to the Planning Commission.

- Alpine X

Chairperson Perkins said the Town will continue to communicate with the developer.

- Belmont Bay Expansion Project

Chairperson Perkins said there will be more contact with the developers once they are further along

Mr. Crim told the Commission that there is a district court of appeals opinion that short-term rental laws violate the US Constitution and there will be a need to evaluate rental regulations as a result.

5. Adjournment

The meeting was adjourned at 7:14 p.m.

Minutes Prepared by Ryan Somma, Planning Commission Secretary



TOWN OF OCCOQUAN PLANNING COMMISSION

Agenda Communication

4. Action Items	Meeting Date: September 27, 2022
4A: Request to Consider Zoning Text Amendments to the Town Code Generally Relating to Parking Structures and Set Public Hearing Date	

Attachments: a. Resolution R-2022-11

Submitted by: Matt Whitmoyer
Management Fellow

Explanation and Summary:

During their September 20, 2022, meeting, the Town Council referred a zoning text amendment to the Planning Commission to add amendments to the Town Code generally relating to parking structures.

This is a request for the Planning Commission to review current concerns, make recommendations to the Town Attorney to craft a draft set of amendments, and to set a public hearing date for the review of the forthcoming draft zoning text amendments.

Background

Currently, the Town Code does not include language accommodating parking structures within the town in any zoning district. Parking is a perennial issue for the town, with respect to both the amount and location of spaces. The purpose of any zoning text amendments will be to lay the groundwork for any future measures to address parking issues in the Town of Occoquan.

Recurring zoning questions related to parking structures include whether to allow them in both business and residential zoning districts, what heights to set for such parking structures and whether the current code accommodates those preferred heights, what setback requirements are best practice, how to zone the structures to allow for business uses within them, and whether special use permits should be used to accommodate such structures.

Staff Recommendation: Recommend the Planning Commission discuss how to address parking structures and facilities in the Zoning Code, provide recommendations to the Town Attorney, and set a date for a public hearing for the forthcoming draft ordinance.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

"I move to set a public hearing date of October 25, 2022, on the draft ordinance to be provided by the Town Attorney."

OR

Other action the Commission deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION**

**RESOLUTION TO REFER ZONING TEXT AMENDMENT TO PLANNING
COMMISSION TO AMEND TOWN CODE GENERALLY RELATING TO PARKING
STRUCTURES**

WHEREAS, the Town Council finds that public necessity, convenience, general welfare, and good zoning practice requires amending the Town zoning ordinance to address parking structures within the Town; and

WHEREAS, by authority granted in §§ 15.2-1427 (D), 15.2-2285 (B), and 15.2-2286(A)(7) of the Code of Virginia, the Town Council may amend, supplement, or change the Town’s zoning regulations, and

WHEREAS, pursuant to § 15.2-2286(A)(7)(i), amendments to the zoning ordinance may be initiated by resolution of the Town Council, and

WHEREAS, pursuant to § 15.2-2285 (B), no zoning ordinance shall be amended or reenacted unless the planning commission has had an opportunity to make recommendations on it; and

WHEREAS, pursuant to §§ 15.2-2204 and 15.2-2285 (C), before approving and adopting any zoning ordinance or amendment thereof, the governing body shall hold at least one public hearing thereon; and

WHEREAS, the Town Council wishes to revise the existing Zoning Ordinance to serve the health, safety and general welfare of the public and accomplish the objectives of Virginia Code § 15.2-2200, and wishes to give reasonable consideration to the following purposes: (i) to provide for adequate light, air, convenience of access, and safety from fire, flood, impounding structure failure, crime and other dangers; (ii) to reduce or prevent congestion in the public streets; (iii) to facilitate the creation of a convenient, attractive and harmonious community; (iv) to facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, playgrounds, recreational facilities, and other public requirements; (v) to protect against destruction of or encroachment upon historic areas and working waterfront development areas; (vi) to protect against overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health, or property from fire, flood, impounding structure failure, panic or other dangers; (vii) to encourage economic development activities that provide desirable employment and enlarge the tax base; (viii) to provide for the preservation of lands of significance for the protection of the natural environment; (ix) to promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality as well as a reasonable proportion of the current and future needs of the planning district within which the locality is situated; and (x)

to provide reasonable modifications in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.) or state and federal fair housing laws, as applicable.

NOW, THEREFORE, BE IT RESOLVED that the Occoquan Town Council does hereby initiate R-2022-10 to address parking structures; and

BE IT FURTHER RESOLVED that the Occoquan Town Council does hereby refer the attached proposed amendment to the zoning ordinance to the Planning Commission for its recommendations.

Adopted by the Town Council of the Town of Occoquan, Virginia this 20th day of September, 2022.

MOTION:

**DATE: September 20, 2022
Town Council Meeting**

SECOND:

Votes

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

BY ORDER OF THE TOWN COUNCIL

Attested:

Earnest W. Porta, Jr., Mayor

Philip Auville, Town Clerk