



TOWN OF OCCOQUAN

Circa 1734 | Chartered 1804 | Incorporated 1874

314 Mill Street
PO BOX 195
Occoquan, VA 22125
(703) 491-1918
occoquanva.gov
info@occoquanva.gov

Occoquan Town Council Town Council Meeting April 18, 2023 | 7:00 p.m.

1. **Call to Order**
2. **Consent Agenda**
 - a. April 4, 2023 Meeting Minutes
3. **Regular Business**
 - a. Request to Adopt Resolution Referring Zoning Text Amendment on Temporary Sales Trailers to Planning Commission
 - b. Request to Adopt Resolution Referring Zoning Text Amendment on Granting the Zoning Administrator Authority to Make Deviations and Modifications from the Zoning Code to Planning Commission
 - c. Request to Adopt Resolution Referring Zoning Text Amendment to Amend the Sign Ordinance to Planning Commission
4. **Discussion Items**
 - a. Update on Timed Parking District
 - b. Discussion on Rt. 123 Gateway Mural Contest
 - c. Discussion on Amplified Outdoor Sound Permit - Hours
 - d. Strategic Framework Discussion
 - i. Capital Tier Review
 - ii. Operating Tier Review
5. **Closed Session**
6. **Adjournment**

Portions of this meeting may be held in closed session pursuant to the Virginia Freedom of Information Act.
A copy of this agenda with supporting documents is available online at www.occoquanva.gov.



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

2. Consent Agenda	Meeting Date: April 18, 2023
Request to Approve Consent Agenda	

Attachments: See below

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a request to approve the consent agenda:

- a. Request to Approve April 04, 2023, Town Council Meeting Minutes

Staff Recommendation: Recommend approval as presented.

Proposed/Suggested Motion:

"I move to approve the consent agenda."

OR

Other action Council deems appropriate.



OCCOQUAN TOWN COUNCIL
Meeting Minutes - DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, April 4, 2023
7:00 p.m.

Present: Mayor Earnie Porta; Vice Mayor Jenn Loges; Councilmembers Nancy Freeborne Brinton, Theo Daubresse, Cindy Fithian, and Eliot Perkins

Absent: None

Staff: Adam Linn, Town Manager / Chief of Police; Philip Auville, Town Clerk; Matt Whitmoyer, Management Fellow; Julie Little, Events Director; Manuel Casillas, Town Treasurer; Jason Forman, Deputy Chief of Police; Martin Crim, Town Attorney (remote)

1. CALL TO ORDER

Mayor Porta called the meeting to order at 7:02 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Porta noted that he has been informed that former Mayor Patricia Conway passed away recently in Florida.

3. CITIZENS' TIME

No one spoke during citizens' time.

Mayor Porta asked for unanimous consent to move up from the Boards and Commissions section of the agenda the ARB Chair report. There being no objection, the report was moved up from the Boards and Commissions section of the agenda.

Architectural Review Board (ARB) Chair Seefeldt reported that the ARB met on March 28th and reviewed and approved one exterior elevation application. Chair Seefeldt noted that she was reappointed as Chair of the ARB and that there were two new alternate members on the board.

4. CONSENT AGENDA

a. March 21, 2023, Meeting Minutes

Councilmember Freeborne Brinton moved approval of the Consent Agenda. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

5. MAYOR'S REPORT

Mayor Porta reported the following:

- On March 9th, he spoke with the Washington Post reporter regarding a historical inquiry.
- On March 14th, he participated in the community partnership breakfast.
- On March 21st, he participated in the semi-annual Occoquan River Safety Forum.

- On March 22nd, he attended the viewing for the passing of Don Wilson.
- On March 24th, he spoke at the Prince William Association of Realtors Housing Summit.
- On March 25th, he attended the annual Prince William History Symposium.
- On March 25th, he attended the annual installation of officers of OWL.
- On March 31st, he attended the public *adhan* at the mosque in Town.

6. COUNCILMEMBER REPORTS

Councilmember Freeborne Brinton noted that she attended the Sponsorship Breakfast at Town Hall.

7. BOARDS AND COMMISSIONS

Councilmember Perkins reported that the Planning Commission met on March 28th. Bob Love joined as a new member of the Commission and an election was held. Councilmember Perkins was elected as Chairperson, Ralph Newell was elected as Vice Chair, and Ryan Soma was elected as Secretary. He noted that they continued discussion on strategic planning for future directions of the Planning Commission which will focus on the following: the Town as a Trail Junction, Town Entrances and Beautification, Business Development, Being a Green Town, and Community Character. The Planning Commission also directed staff to draft together an ordinance to allow temporary trailers for development in the Town.

8. ADMINISTRATIVE REPORTS

a. Administrative Report

Mr. Linn provided a written report as part of the agenda packet and responded to brief questions from the council.

Mayor Porta complimented staff on the Administrative Reports and for posting the reports on the website. He also complimented the police department on the amount of volunteer hours they have provided so far this year which totaled more than a full-time officer.

Councilmember Fithian asked about the status of the Mill at Occoquan demolition. Mr. Linn replied that the Town has not yet received a zoning application related to demolition work and that the County had not issued a demolition permit yet. He also indicated that the developer is aware of the osprey nest and the potential limitations once eggs are laid in the nest.

Vice Mayor Loges asked if there were any updates from the sponsorship breakfast. Mr. Linn replied that no one has completed a sponsorship agreement, but staff is working with one business that is interested in a complete sponsorship. Vice Mayor Loges asked if any follow ups were being done. Ms. Little replied that more information was sent out after the breakfast and staff will continue to have follow up events and send out information.

b. Town Treasurer's Report

Mr. Casillas provided a written report as part of the agenda packet and responded to brief questions from the Council.

Mayor Porta reminded everyone that some line items that show expenses greater than 50% of the budget are items traditionally paid in full or in significant amounts earlier in the fiscal year.

c. Town Attorney Report

Mr. Crim provided a written report as part of the agenda packet. There were no questions.

9. REGULAR BUSINESS

a. Request to Amend the Town Code to Change Due dates for Real Estate Taxes and Business License Taxes and Fees

Mayor Porta noted that the proposed ordinance will bring the Town's real estate tax into conformity with the County's schedule and make real estate tax due dates consistent. The BPOL provisions regarding the business license application and tax payment due date is being changed to streamline filing and paying to avoid confusion and bring payments in on a timely basis. Mayor Porta asked about the status of the previous three-year audit cycle for all of the Town businesses and recommended its continued implementation.

Vice Mayor Loges recommended that the business license and tax be due on May 31st rather than March 1st. Mr. Linn noted that the business license in the State Code requires the due date to be no later than March 1st. Mr. Crim confirmed and noted that most localities have both the license and tax due on the same day.

Given the Council's discussion, the due date of both the business license and tax payment remained proposed for March 1st.

Councilmember Perkins moved to adopt the attached draft ordinance as presented. Councilmember Freeborne Brinton seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse,
Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

10. Work Session Items

a. FY 2024 Budget Work Session

Mr. Linn briefed the Town Council on the proposed FY2024 budget covering the following: Mamie Davis Park Fund, E-Summons Fund, General Fund, Events Fund, and the Capital Improvement Plan Fund. Mr. Linn briefed the Town Council on the proposed FY2024 tax rates covering the following: Real Estate Tax, Meals Tax, and Transient Tax. The Town Council determined for each fund to advertise the tax rates and budget that will be advertised for a subsequent public hearing and vote.

Councilmember Fithian moved to advertise the FY 2024 Proposed Mamie Davis Fund budget of \$500 in revenue and \$0 in expenses. Councilmember Perkins seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse,
Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

Councilmember Perkins moved to advertise the FY 2024 Proposed E-Summons Fund budget of \$11,500 in revenue and \$5,500 in expenses. Councilmember Freeborne Brinton seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse,
Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

Councilmember Daubresse moved to advertise the FY 2024 Proposed Events Fund budget of \$305,225 in revenue and \$234,280 in expenses. Councilmember Freeborne Brinton seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

Vice Mayor Loges moved to advertise the FY 2024 Proposed Capital Improvement Fund budget of \$1,808,569 in expenses. Councilmember Daubresse seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

Councilmember Perkins moved to advertise the FY 2024 Proposed Operating Fund budget of \$1,276,367 in revenue and \$1,293,638 in expenses. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

Councilmember Freeborne Brinton moved to advertise the FY 2024 Transient Occupancy Tax at 7 percent. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

Vice Mayor Loges moved to advertise the FY 2024 Real Estate Tax Rate at \$0.116 per \$100 of assessed value. Councilmember Perkins seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

Vice Mayor Loges moved to advertise the FY 2024 Meals Tax Rate at 3.5 percent. Councilmember Perkins seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

b. Strategic Framework Discussion

The Town Council deferred this discussion item to their next meeting.

11. CLOSED SESSION

Vice Mayor Loges moved that the Council convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to a local business. Councilmember Perkins seconded. Motion passed unanimously by voice vote.

The Council went into closed session at 8:21 p.m.

The Council came out of closed session at 8:42 p.m.

Vice Mayor Loges moved to certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion. Seconded by Councilmember Daubresse. The motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Perkins

Nays: None

12. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Philip Auville, Town Clerk



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

3. Regular Business

Meeting Date: April 18, 2023

3 A: Request to Adopt Resolution Referring Zoning Text Amendment on Temporary Sales Trailers to Planning Commission

Attachments: a. Resolution R-2023-08

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a request to adopt a resolution referring a zoning text amendment on temporary sales trailers to the Planning Commission for review, public hearing, and recommendation. The draft ordinance will be prepared by staff ahead of the Commission's review.

Background

Currently, the Town Code does not allow temporary sales trailers for any type of sales in any zoning district. The proposed amendments would narrowly permit such sales trailers on a temporary basis on parcels actively under development within the Old and Historic Occoquan District. Permanent trailers and temporary trailers outside the Old and Historic Occoquan District would not be permitted.

Staff Recommendation: Recommend referral to the Planning Commission for review, public hearing, and recommendation to the Town Council.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

"I move to adopt Resolution R-2023-08 to refer amendments to the Planning Commission for its recommendation after public hearing."

OR

Other action Council deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION**

**RESOLUTION TO REFER ZONING TEXT AMENDMENT TO PLANNING
COMMISSION TO AMEND TOWN CODE GENERALLY RELATING TO ADDRESS
THE USE OF TEMPORARY SALES TRAILERS FOR PURPOSES OF REAL ESTATE
SALES WITHIN THE OLD AND HISTORIC OCCOQUAN DISTRICT**

WHEREAS, the Town Council finds that public necessity, convenience, general welfare, and good zoning practice requires amending the Town zoning ordinance to address the use of temporary sales trailers for purposes of real estate sales within the Old and Historic Occoquan District; 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-2023-08 to address the use of temporary sales trailers for purposes of real estate sales within the Old and Historic Occoquan District; and

BE IT FURTHER RESOLVED that the Occoquan Town Council does hereby refer the forthcoming draft amendment to the zoning ordinance from town staff to the Planning Commission for its recommendations.

Adopted by the Town Council of the Town of Occoquan, Virginia this 18th day of April, 2023.

MOTION:

**DATE: April 18, 2023
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



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

3. Regular Business	Meeting Date: April 18, 2023
3 B: Request to Adopt Resolution Referring Zoning Text Amendment on Granting the Zoning Administrator Authority to Make Modifications from the Zoning Ordinance with Respect to Physical Requirements to Planning Commission	

Attachments: a. Resolution R-2023-09

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a request to adopt a resolution referring a zoning text amendment on granting the Zoning Administrator the authority to make modifications to the zoning ordinance to the Planning Commission for review, public hearing, and recommendation. The draft ordinance will be prepared by staff ahead of the Commission's review.

Background

Currently, the Town Code does not allow the Zoning Administrator to make modifications to any physical requirements on a lot or parcel. The proposed amendments would give the Zoning Administrator the authority to grant minor modifications to requirements such as height, size, and setbacks when certain criteria are met. For example, the Zoning Administrator could, when giving proper notice and a written decision, grant a modification to a homeowner to allow the encroachment of their house into the standard setback, when staying within the setback would've caused an undue hardship to the homeowner.

Staff Recommendation: Recommend referral to the Planning Commission for review, public hearing, and recommendation to the Town Council.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

"I move to adopt Resolution R-2023-09 to refer amendments to the Planning Commission for its recommendation after public hearing."

OR

Other action Council deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION**

**RESOLUTION TO REFER ZONING TEXT AMENDMENT TO PLANNING
COMMISSION TO ADD A SECTION NUMBERED §157.228, ADMINISTRATIVE
MODIFICATIONS**

WHEREAS, the Town Council finds that public necessity, convenience, general welfare, and good zoning practice requires amending the Town zoning ordinance to address the use of temporary sales trailers for purposes of real estate sales within the Old and Historic Occoquan District; 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-2023-08 to address the use of temporary sales trailers for purposes of real estate sales within the Old and Historic Occoquan District; and

BE IT FURTHER RESOLVED that the Occoquan Town Council does hereby refer the forthcoming draft amendment to the zoning ordinance from town staff to the Planning Commission for its recommendations.

Adopted by the Town Council of the Town of Occoquan, Virginia this 18th day of April, 2023.

MOTION:

**DATE: April 18, 2023
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



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

3. Regular Business	Meeting Date: April 18, 2023
3 C: Request to Adopt Resolution Referring Zoning Text Amendment to Amend the Sign Ordinance to Planning Commission	

Attachments: a. Resolution R-2023-10

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a request to adopt a resolution referring a zoning text amendment on amending the sign ordinance to the Planning Commission for review, public hearing, and recommendation. The draft ordinance will be prepared by staff ahead of the Commission's review.

The objective of the amendments is to improve the clarity of the code for the benefit of both town staff and the town businesses and residents who must adhere to them.

The amendments to the Town's signage regulations would repeal a conflicting and redundant section of code and make changes to the existing code that fulfill the following goals:

1. Remove conflicting and erroneous sections of the signage regulations
2. Clarify the definitions and number limits of permanent signage
3. Consistently distinguish between temporary signs and banners
4. Clearly define the basis on which to apply the sign regulations
5. Create an administrative process for the permitting of sign structures

Background

Currently, §§157.300 - §157.339 of the Town Code detail the provisions that regulate signage in the Town of Occoquan. In 2016, in light of the Reed vs. Town of Gilbert case, the Town revised the sign ordinance and repealed §§157.335 - §157.339. However, due to a possible clerical error, the repealed sections were erroneously readopted into the Town Code in 2017 and in subsequent zoning text amendments. The sections now contain redundant and conflicting information.

The signage regulations of the Town Code have had two previous substantive revisions in the past decade, in 2016 and 2020. The 2016 amendments transferred the administration of the sign permitting process from the Architectural Review Board to town staff and amended various sections of the code to ensure its content neutrality in regulating signage.

Staff Recommendation: Recommend referral to the Planning Commission for review, public hearing, and recommendation to the Town Council.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

“I move to adopt Resolution R-2023-10 to refer amendments to the Planning Commission for its recommendation after public hearing.”

OR

Other action Council deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION**

**RESOLUTION TO REFER ZONING TEXT AMENDMENT TO PLANNING
COMMISSION TO REMOVE § 157.335-157.339 AND AMEND § 157.300-157.322 OF THE
TOWN CODE RELATING TO SIGNAGE**

WHEREAS, Occoquan Town Code §§157.300 - §157.339 detail the general provisions for signage in the Town of Occoquan; and

WHEREAS, the Town Council wishes to amend said provisions by,

- (A) Removing conflicting and erroneous sections of the signage regulations,
- (B) Clarifying the definitions and number limits of permanent signage,
- (C) Consistently distinguishing between temporary signs and banners,
- (D) Clearly defining the basis on which to apply the sign regulations,
- (E) Creating an administrative process for the permitting of sign structures; and

WHEREAS, the Town Council finds that public necessity, convenience, general welfare, and good zoning practice requires amending the Town zoning regulations governing signage for the reasons articulated above; 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-2023-10 to remove § 157.335-157.339 and amend § 157.300-157.322 of the Town Code relating to signage; and

BE IT FURTHER RESOLVED that the Occoquan Town Council does hereby refer the forthcoming draft amendment to the zoning ordinance from town staff to the Planning Commission for its recommendations.

Adopted by the Town Council of the Town of Occoquan, Virginia this 18th day of April, 2023.

MOTION:

**DATE: April 18, 2023
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



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

4. Discussion Items	Meeting Date: April 18, 2023
4 A: Free Timed Parking District Policy	

Attachments: a. Staff Report on Free Timed Parking District

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a discussion item to review the current Free Timed Parking District policy.

On September 15, 2020, the Planning Commission presented the Town Council with a proposal for the establishment of a free timed parking program covering what is referred to as Occoquan's historic and business districts. In October 2020, the Town Council instructed staff to proceed with the necessary steps to implement such a program sometime in early 2021. On January 5, 2021, Town Council formally approved a plan to establish a free Timed Parking District. In March 2021, enforcement of the free Timed Parking District began.

The intent of the free Timed Parking District is to increase the availability of on-street parking spaces, reduce the practice of long-term parking in the district, and reduce non-patron use of prime business parking during peak business hours within the district. Under the policy, the Town Manager has the authority to provide an exemption only to residents who live in the free Timed Parking District but do not have adequate off-street parking.

Parking enforcement initially was focused on timed parking violations during times of high visitation to the Town, specifically Friday, Saturday, and Sundays. Since the enforcement of the free Timed Parking District, there has been a steady decline in timed parking violations on the weekends. In March 2023, at the request of the Town Council, timed parking enforcement was expanded to both weekdays and weekends. An increase in overall timed parking violations was observed with most violations occurring during the weekdays.

Staff Request: Town Staff is seeking Town Council direction on any changes or amendments to the free Timed Parking District policy.



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TOWN COUNCIL
Earnest W. Porta, Jr., Mayor
Jenn Loges, Vice Mayor
Krys Bienia
Cindy Fithian
Laurie Holloway
Eliot Perkins

TOWN MANAGER
Kirstyn Jovanovich

STAFF REPORT

TO: The Honorable Town Council

CC: Adam Linn, Chief of Police

FROM: Kirstyn Jovanovich, Town Manager

DATE: December 31, 2020

SUBJECT: Timed Parking District Plan
Town Council Meeting - January 5, 2021

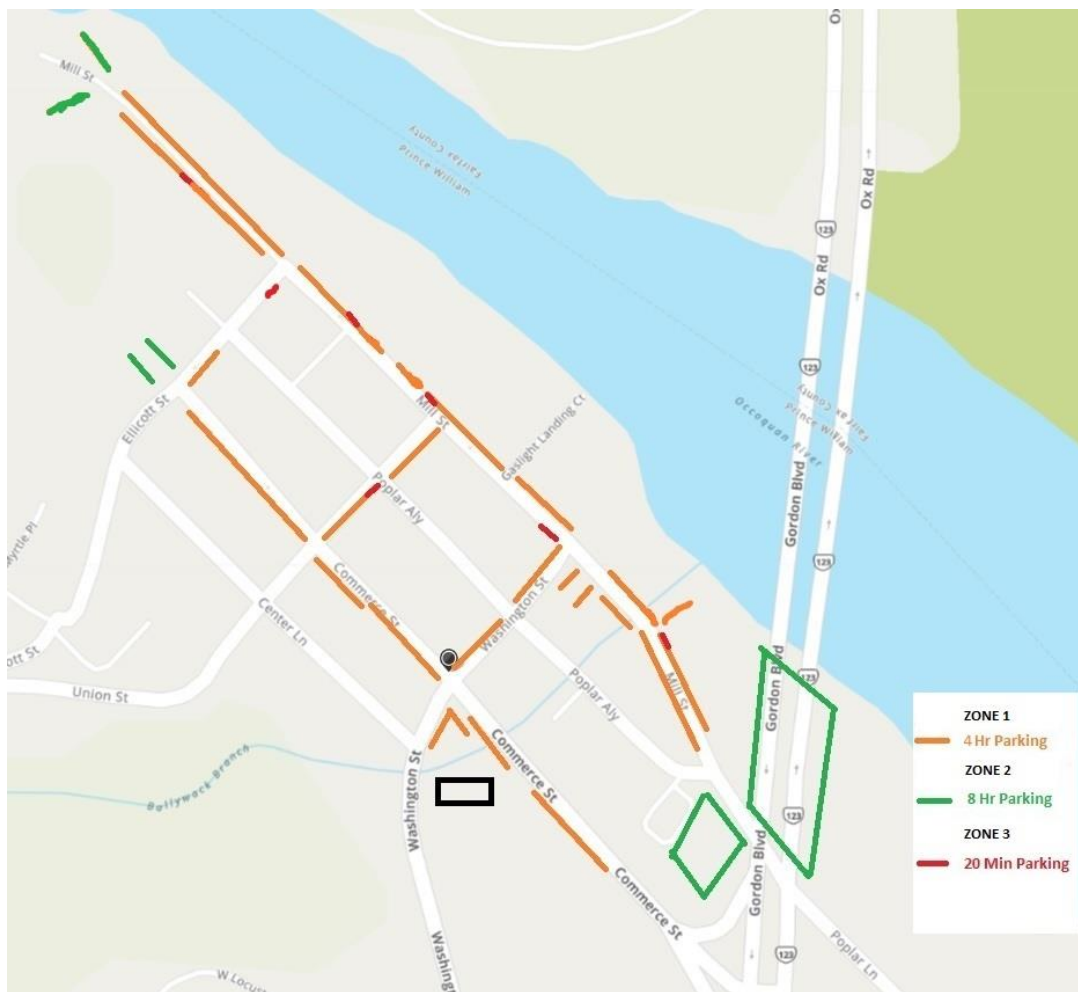
This Timed Parking District Plan is proposed as requested by the Town Council. The proposed plan creates a timed parking district with three zones within the downtown business district. The timed parking district would increase availability of on-street parking spaces, reduce the practice of long-term parking in the district, and reduce non-patron use of prime business parking during peak business hours within the district. The timed parking district is generally depicted below as portions of the Town's Old and Historic District.



Proposed Hours and Time Restriction

Staff is recommending setting restricted parking hours from 7 a.m. to 7 p.m. daily, within three parking zones: Zone 1 restricted to four (4) hour parking; Zone 2 restricted to eight (8) hour parking; and Zone 3 restricted to 20-minute parking (approximately eight (8) spaces).

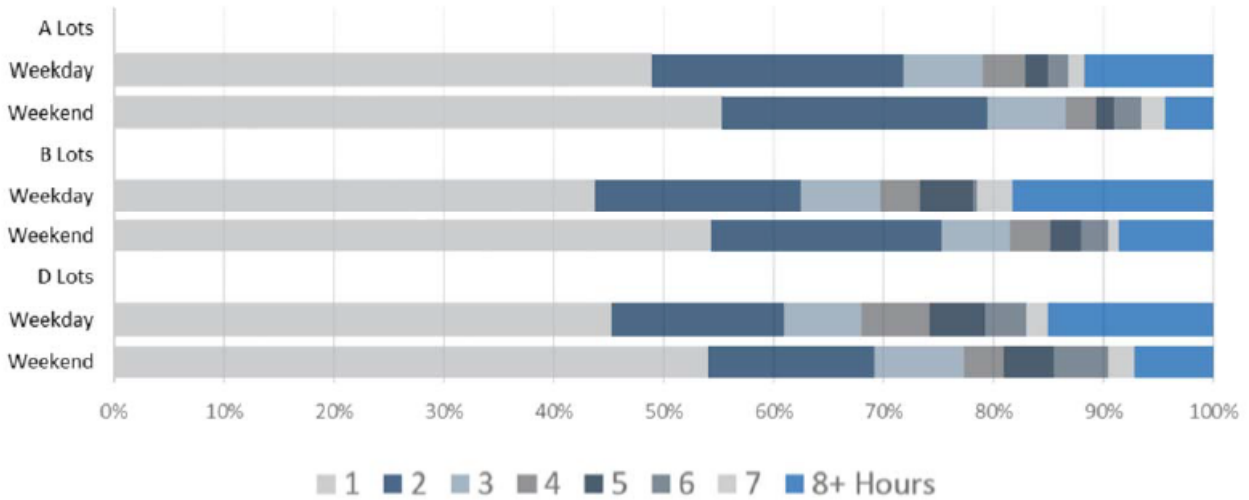
Generally, on-street parking is Zone 1, town parking lots and identified spaces at the Mill Street cul-de-sac is Zone 2, and Zone 3 parking is located strategically within the district to promote carry-out business activities. The map below identifies general locations of the 4-hour, 8-hour and 20-minute parking zones.



Data Collection and Detail

The Town of Occoquan Parking Study prepared by JMT in November 2017, with staff support, collected and analyzed parking data during the month of August 2017. The data was collected in four groups: on-street public parking, off-street town-owned parking, private residential parking, and private commercial parking. The data sample showed that on average, vehicle parking duration is 2.2 hours.

Figure 8: Parking Duration by Lot

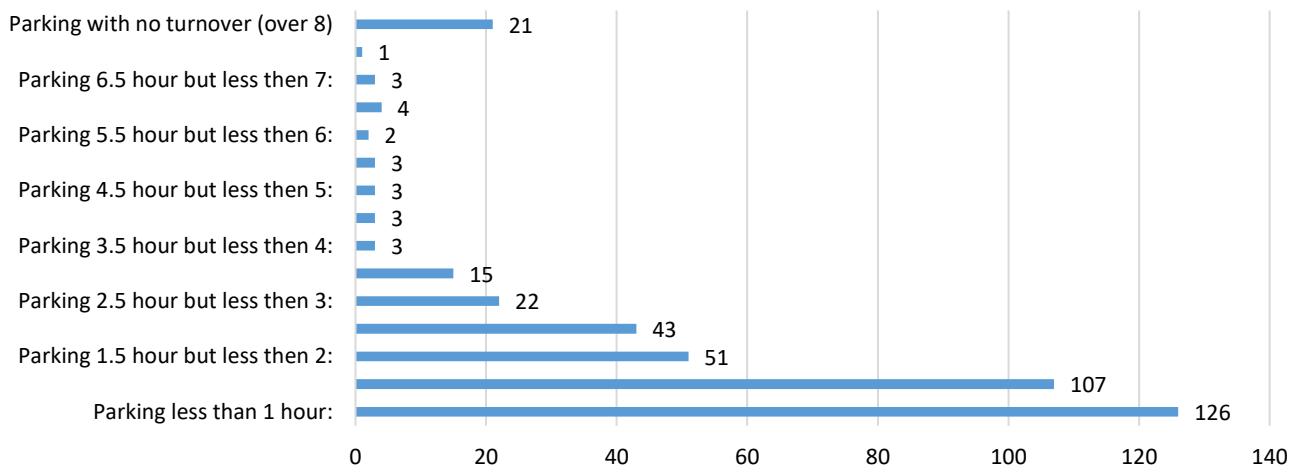


A Lots = on-street public parking
 B Lots = off-street town-owned parking
 D Lots = private, mostly commercial (includes lots closest to Mill Street area)

In addition, staff and volunteers recently completed sample collections on Saturday, December 5, 2020 from 9 a.m. to 4:45 p.m. and December 13, 2020 from 10:00 a.m. to 4:30 p.m. Staff collected data on vehicle parking only in on-street parking spots on Mill Street.

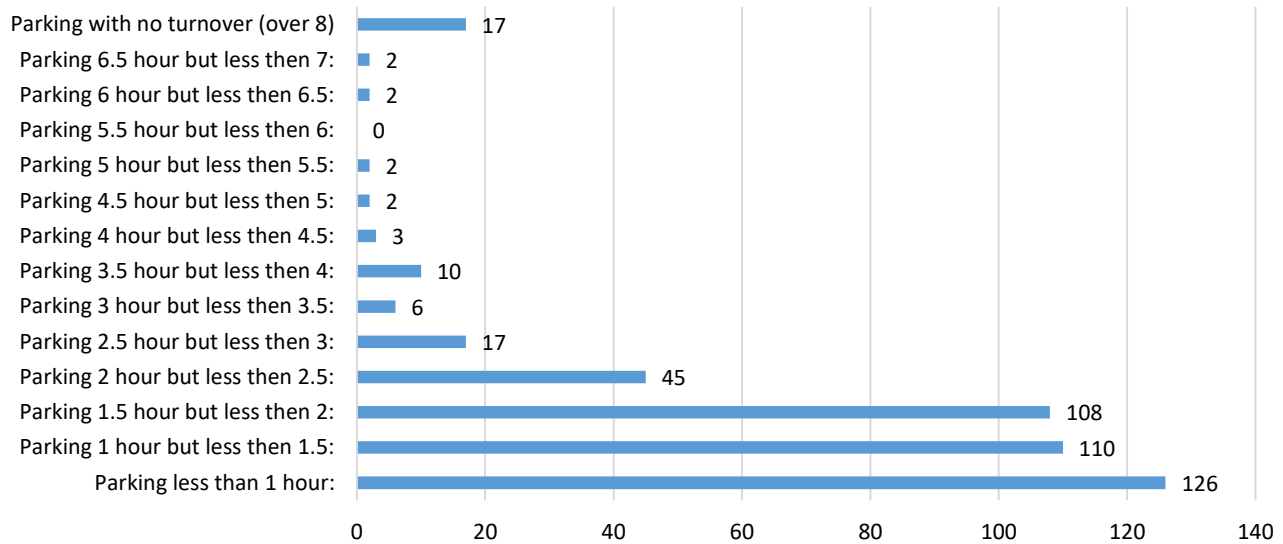
On December 5, the sample survey of 119 parking spaces and 407 vehicles indicated that 91% of the vehicles surveyed stayed for four hours or less, with 80% staying for two hours or less. There were 21 vehicles that did not move during the entire survey period, equaling 18% of all surveyed parking spaces. In addition, a majority of the vehicles parked over five hours were noted as residents and business employees or owners.

Mill Street Parking Survey - December 5, 2020



Similar to the previous week’s collection, on Sunday, December 13, the sample survey of 119 parking spaces and 450 vehicles indicated that 94% of the vehicles surveyed stayed for four (4) hours or less, with 86% staying for two (2) hours or less. Four percent (4%) of the vehicles observed did not move during the survey period; however, those 17 vehicles accounted for 14% of the available parking on Mill Street.

Mill Street Parking Survey - December 13, 2020



Staff recognizes that these are only sample surveys and are a snapshot of parking use during a weekend day of the peak business season. However, in addition to the previous parking surveys performed in 2017, this data provides a snapshot of use to aid in the decision-making process regarding timed parking.

While the December 5 and December 13 data snapshots indicate that most vehicles were parked for less than three (3) hours (86% and 92%, respectively), based on recent community feedback and given the limited number of people impacted (between 3% and 5% of vehicles surveyed parked between three (3) and four (4) hours), staff is recommending that the Timed Parking Plan initially set Zone 1 parking to a four (4) hour limit. This will address concerns expressed recently by members of the business community regarding the hour limitation and with the implementation of zones, will reduce opportunity for parking spot changes by individuals utilizing 4-hour parking for longer durations. In addition, given the likelihood of continued growth within the Town, staff is recommending an annual review of the Timed Parking District time limits utilizing regularly collected data.

Residential Permit Parking Program

Recognizing that the Old and Historic District is a mixed-use community with both business and residential uses, staff is proposing a Residential Permit Parking Program be implemented as part of the Timed Parking Program. Residents who live within the Timed Parking District

are eligible for an annual permit that would allow them to park unrestricted, with the exception of Zone 3 (20-minute parking.) Permits will be issued to occupants based on off-street parking availability for the residence. There is no fee and no restriction on number of vehicles per eligible household for an annual permit. Temporary visitor passes may be obtained from Town Hall, effective for a 48-hour period.

Businesses are not eligible to obtain a permit to park unrestricted anywhere within the restricted zones. Staff will maintain a list of eligible addresses and proof of residency and compliance with the Town's vehicle license fee program is required to obtain a permit(s). This is a staff managed program.

Implementation and Education

Staff is proposing that the Timed Parking District Plan go into effect after February 1, 2021. Staff has purchased and has been trained on the necessary enforcement equipment. Upon approval of the Timed Parking District Plan, staff would begin an education program before enforcement commences. This would include installation of signage, program education materials provided to affected businesses and residents, rollout of the residential parking permit program, and information provided through the Town's traditional and electronic communication platforms.

Next Steps

Upon approval of this plan, including any policy adjustments proposed by the Town Council, staff would move forward with the implementation phase, including purchasing signage, staff training, residential permit program launch, and business and residential education program. In addition, staff is preparing Code updates needed for enforcement to be presented at the February 2, 2021 Town Council meeting.

With approval of the Plan, staff anticipates complete roll-out of the program can begin March 1, 2021.



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

4. Discussion Items	Meeting Date: April 18, 2023
4 B: Rt. 123 Gateway Mural Contest	

Attachments: a. N/A

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a discussion item to review a proposed Town of Occoquan mural contest for the town gateway at Gordon Blvd. (Rt. 123) and Commerce Street.

Over the past decade, the Town of Occoquan has increased its investments in public beautification, signage, and public art in order to enhance its downtown historic district and build community character. Staff is currently working to transform the retaining wall owned by the Virginia Department of Transportation (VDOT) at the town gateway on Gordon Blvd. (Rt. 123) and Commerce Street into a significant piece of public art that will welcome residents and visitors. The goal is to create public art that will enhance the Town's gateway, recognize the Town's historic past, and incorporate the Occoquan River.

Town staff is proposing a contest to provide a space for local artist(s) to share their talents and use them to beautify the main entryway into the Town of Occoquan. Attached is the information that will be shared with contestants and outlines the review criteria and process. The review committee would consist of the two members of town staff, one member of the ARB, and one member of the Planning Commission. Town Council would have final approval of the committees recommendations.

Staff Request: Town Staff is seeking input from Town Council on the placement of a mural on the VDOT retaining wall and comments on the mural contest, including its review criteria and process.



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

4. Discussion Items	Meeting Date: April 18, 2023
4 C: Discussion on Amplified Outdoor Sound Permit - Hours	

Attachments: None

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a discussion item to review the current hours governed by the Amplified Outdoor Sound Permit.

At its October 6, 2020, Town Council Meeting, the Town Council adopted Ordinance 0-2020-05 that generally related to noise and authorized the issuance of permits for amplified outdoor sound. Section 92.06 provides specific prohibitions against creating loud noises between the hours of 10:00 p.m. and 6:00 a.m. daily (“quiet hours”) as well as amplified sound that can be plainly audible from 50 feet.

Section 92.10, Permit for Amplified Outdoor Sound, allows amplified outdoor sound that can be plainly audible at 50 feet beyond the real property boundary if a permit is received from the Town. However, amplified outdoor sound is prohibited, regardless of permit, “between 10 p.m. and 2 p.m. on Friday and Saturday, and between 8 p.m. and 10:30 a.m. Sunday through Thursday.” Town Staff has been advised that permitted amplified outdoor sound is allowed only as follows:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
2:00pm - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 10:00pm	2:00pm - 10:00pm

However, Town Staff has also been advised to interpret the permitted amplified outdoor sound to allow it as follows:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
10:00am - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	2:00pm - 10:00pm	2:00pm - 10:00pm

Over the past two years that the permits are available, Town Staff has been asked why amplified outdoor music cannot be authorized during the lunch times on Friday and

Saturday (peak times for some restaurants). Town Staff would suggest changing the ordinance to state hours when amplified outdoor sound is permitted and have all days of the week start at 10:30am and still comply with the Town’s quiet hours. Town Staff would propose permitting amplified outdoor music as follows:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 8:00pm	10:30am - 10:00pm	10:30am - 10:00pm

Staff Request: Town Staff is seeking Town Council direction on amending the Town Code to change the permitted hours to permit businesses to utilize outdoor amplified music during the lunch period starting at 10:30 a.m. daily.



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

4. Discussion Items	Meeting Date: April 18, 2023
4 D: Strategic Framework Discussion	

Attachments: a. Strategic Framework Tiers Summary

Submitted by: Earnest W. Porta, Jr.
Mayor

Explanation and Summary:

This is a continuing discussion of the Town Council's strategic framework.

Staff Request: Not Applicable