



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

MEETING DATE: 2023-05-23
MEETING TIME: 6:30 PM

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

Town Staff: Matt Whitmoyer, Management Fellow; Adam Linn, Town Manager; Martin Crim, Town Attorney (Remote)

1. Call to Order

The Planning Commission meeting was called to order by Chairperson Perkins on 2023-05-23, at 6:34 p.m.

2. Citizen Comments

None.

3. Approval of Minutes

a. April 25, 2023 Meeting Minutes

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

4. Public Hearings

a. Public Hearing on Zoning Text Amendment to Address the Use of Temporary Trailers for Real Estate Sales and Construction Uses Across All Zoning Districts

There were no public comments. Chairperson Perkins closed the public hearing at 6:38pm.

b. Public Hearing on Zoning Text Amendment to Address Granting the Zoning Administrator Authority to Make Modifications from the Zoning Ordinance with Respect to Physical Requirements

There were no public comments. Chairperson Perkins closed the public hearing at 6:38pm.

c. Public Hearing on Zoning Text Amendment to Remove § 157.335-157.339 and to Make Changes that Increase the Clarity of § 157.300-157.322 and that Streamline Administrative Permitting and Enforcement

There were no public comments. Chairperson Perkins closed the public hearing at 6:39pm.

5. Action Items

a. Request to Make a Recommendation to Town Council on Zoning Text Amendment Generally Relating to the Use of Temporary Trailers

Mr. Whitmoyer said the amendment was updated for construction offices. It included new language for setbacks, electrical, and health department permits. Trailers are only allowed for one-year in any 24-month period. They are allowed during construction and leasing. Applications will go to the Zoning Administrator and County for permits. Mr. Crim said the amendment was similar to Prince William County's, but with a shorter timeline because the County accommodates larger constructions. The amendment adequately protects the Town from trailers becoming a problem and accommodates uses for development and construction projects.

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

b. Request to Make a Recommendation to Town Council on Zoning Text Amendment Granting the Zoning Administrator Authority to Make Modifications from the Zoning Ordinance

Mr. Whitmoyer gave an example of the amendment in practice, where setbacks being within ten percent would allow approval from the Zoning Administrator. Staff is working with the Town Attorney to make the process more transparent and make the process more accessible. Mr. Crim said many houses in Town are old and don't fit within modern variances. Granting the Zoning Administrator this authority takes the place of granting a variance. No estimate for how many the Town will end up having. They are brainstorming ways to keep the public informed in a timely fashion. Chairperson Perkins said this provides flexibility and streamlined process that's visible to the public. Commissioner Somma asked about the process for the Town Council appealing a Zoning Administrator ruling. Mr. Crim said such a challenge would go to circuit court.

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

c. Request to Make a Recommendation to Town Council on Zoning Text Amendment Generally Relating to the Sign Ordinance

Mr. Whitmoyer cited Reed vs the Town of Gilbert and the need for a formal process to address signage and streamline the Town Code. He gave a broad overview of the changes as providing more flexibility for business and applying regulations to temporary signs that apply to banners. The regulations now apply per business versus per parcel. Supporting structure for signage is now included in administrative approval rather than going to the Architectural Review Board (ARB). Mr. Crim said there is a need for consistent application of the ordinance with clear and reasonable guidelines. Everyone must abide by the same criteria.

Commissioner Love asked how long political signs can be up as they are temporary. Mr. Crim said political signs cannot be regulated during the election cycle. Reed vs the Town of Gilbert took this further so that sign content cannot even be considered in the ordinance. Commissioner Love asked about a situation where the election is over, and a sign is still up long after and if this could be regulated. Mr. Crim said it could be regulated as a temporary sign. Temporary signs fade in the sun and deteriorate. The issue becomes how we know when the sign was put up. When someone complains, the Town talks to the owner, and that becomes day one. Mr. Whitmoyer said permitted signs are allowed to be up for 20 days. Chairperson Perkins said a temporary sign for a political campaign would be different. Mr. Whitmoyer said the Town can't require a permit for a political sign. Chairperson Perkins asked about the possibility of another regulation for temporary signs that don't require permits. Mr. Crim said that, administratively, it would be very difficult to address all types of yard signs people can put up. Chairperson Perkins suggested putting the idea up to Town Council. Mr. Crim said residential signs have 90-day limit. For signs on public property, the Town can remove the signs at the appropriate time.

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

Mr. Whitmoyer said the ordinance will go to the ARB tonight before Town Council. Mr. Crim left the meeting.

d. Request to Name Planning Commission Representative to the Mural Contest Award Committee

Chairperson Perkins asked for volunteers. Mr. Whitmoyer said the timeline would be at the end of June and would be a five-to-ten-hour commitment. Commissioner Newell volunteered.

6. Discussion Items

a. Town Council Meeting Update

Chairperson Perkins provided an update on Town tax rates.

b. Berkley Riverwalk Planning Update

Mr. Whitmoyer said the Berkley Group met with Town Staff and the Chair. They provided a first draft of the map for the vision plan and visuals of what the riverwalk could look like based on examples from across the country. On June 15th they will have another open house followed by an online form open for two weeks and allow citizens to see the project virtually. It will be presented to the Planning Commission sometime mid-summer. Chairperson Perkins said they are continuing to work with private property owners about the vision and the discussions are going very positively.

c. Planning Commission Priorities Update

No discussion.

7. Work Session

a. 2024 Strategic Planning Workshop Session

Chairperson Perkins thanked the commissioners for their contributions. He read through all of them and met with Matt on Monday and went over them. He said there wasn't enough time left in the meeting to fully discuss them. Mr. Whitmoyer reviewed the refined themes. Commissioner Love said it makes more sense, was more focused and thematic. It was much more understandable. Goals and action items fit well under each one. Chairperson Perkins asked each Commissioner what they thought. All agreed on the new themes. Chairperson Perkins said everything points back to the Comprehensive Plan. Mr. Whitmoyer provided an overview of the Themes and Goals.

Commissioner Love asked about Town events and if there's been a review of the types of events and if there was data on them. Mr. Whitmoyer said that due to the staffing shortage there hasn't been a data review, only anecdotal feedback. Chairperson Perkins said there is an iPad survey at events and the town looks at it from a revenue perspective. Mr. Whitmoyer said this was an item to hash out.

Commissioner Love asked about green business practices and buildings and if it applies to residential buildings. Mr. Whitmoyer noted the Chesapeake Bay Act, and that swimming pools and building practices fall within that.

Chairperson Perkins noted the beautification projects include art projects and entrances. Mr. Whitmoyer noted connecting to other communities such as Belmont Bay, Alpine X, etc. Commissioner Somma said these connections could help address parking.

Chairperson Perkins asked commissioners to take the PowerPoint and have conversations about these goals.

6. Adjournment

The meeting was adjourned at 7:30 p.m.

Minutes Prepared by Ryan Somma, Planning Commission Secretary