



# TOWN OF OCCOQUAN

Town Hall, 314 Mill Street, Occoquan, VA 22125  
www.occoquanva.gov | info@occoquanva.gov | (703) 491-1918

## PLANNING COMMISSION MEETING

**Tuesday, January 9, 2018**

**7:00 PM**

**TOWN HALL - 314 MILL STREET**

There will be a Planning Commission Meeting to Discuss the Following:

1. Approval of Minutes of October 10, 2017
2. Election of Chairman, Vice-Chairman, & Secretary
3. Kiely Court Final Subdivision Plat Revision
4. CIP Budget Discussion (Kirstyn)
5. 2017 Annual Report Draft (Chris)
6. By-law Discussion

**Joe McGuire**

Town of Occoquan Councilmember  
Planning Commission Chair



**TOWN OF OCCOQUAN**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**MEETING DATE: 2017-10-10**  
**MEETING TIME: 7:00pm**

**Present:**  Joe McGuire  Ann Kisling  Dan Braswell  Heather Ozuna  Ryan Somma  
 Eliot Perkins

**Staff Present:** Chris Coon, Town Clerk

**1. Call to Order**

The Planning Commission Public Hearing was called to order by Joe McGuire, on 2017-10-10, at 6:55 p.m.

**2. Appointment of Secretary for Meeting**

Ryan Somma volunteered to take minutes for the meeting.

**3. Approval of Minutes**

Ann Kisling moved to approve the Planning Commission meeting minutes of 2017-08-08. Eliot Perkins seconded the motion. The motion carried by poll vote, unanimously.

**4. Site Plan, 113 Poplar Lane - Pool Improvement**

No members of the public were in attendance. Members of the Planning Commission confirmed they had reviewed the site plan and the Town Engineer's recommendation to approve subject to conditions.

Joe McGuire moved to approve the Site Plan for "113 Poplar Lane - Pool Improvement" subject to purchase of phosphorus credits from a bona fide phosphorus bank. Ann Kisling seconded the motion. The motion carried by poll vote, unanimously.

**5. Staff Report**

Chris Coon provided a staff report bringing attention to provisions in the Town Code as they relate to the Planning Commission. He pointed to provisions that were in need of updating as well as options the Planning Commission could consider for excused absences when the Commission lacks a quorum. Members of the commission agreed this would be a good topic to visit in November's meeting.

**6. Adjournment**

The meeting was adjourned at 7:05 p.m.

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Joe McGuire  
Chair, Planning Commission

*Submitted by Ryan Somma, Planning Commission Member*



# TOWN OF OCCOQUAN

*Circa 1734 • Chartered 1804 • Incorporated 1874*  
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**TOWN COUNCIL**  
Elizabeth A. C. Quist, Mayor  
Patrick A. Sivigny, Vice Mayor  
J. Matthew Dawson  
Jim Drakes  
Cindy Fithian  
Joe McGuire

**TOWN MANAGER**  
Kirstyn Barr Jovanovich

## STAFF REPORT TOWN OF OCCOQUAN Kiely Court

Applicant: Christopher & Jillian Kiely

Date: JANUARY 5, 2018

### PART I

#### A. EXECUTIVE SUMMARY

The applicant proposes the subdivision and development of 430 Mill Street as two detached single family dwellings, road network, and associated infrastructure. This staff report evaluates the proposed application as it pertains to town ordinances for conformity.

#### B. DESCRIPTION OF PETITION

The applicant requests reapproval of the Final Subdivision Plat submission for the above referenced property to ensure language in the plat matches the signed Maintenance Agreement. Changes include notes 4, 5, 9 & 12 as well as added notations to the parking easement.

#### B. APPLICABLE REGULATIONS

1. Chapter 54 - Subdivisions
2. Chapter 66 - Zoning

### PART II

#### A. ANALYSIS OF EXISTING CONDITIONS

1. Site Area: +/- 5,917 SF
2. Use: Vacant
3. Zone: B-1
4. Location: The referenced property is located below the Rockledge Mansion at the western end of Mill Street.
5. Buildings/Structures: Stone retaining walls associated with adjoining properties encroach onto the site, as does the historic icebox on Mill Street.
6. Additional Overlay Districts: This site falls within the Old & Historic District.

#### B. ANALYSIS OF PROPOSED FINAL SITE PLAN

1. Use: Residential (SFD)
2. Buildings/Structures: Two single family homes are proposed, along with an entrance driveway/courtyard and retaining walls.
3. Access: Vehicular access is proposed via Mill Street.

The proposed application would subdivide the existing parcel to allow two single family homes (each measuring approximately 24'x36') with a common driveway. As a result of the development and improvements on surrounding parcels, the site is enclosed on all sides by buildings, retaining walls, and on-street parking. Each will be affected by this development. The site plan was previously approved by Town Council in April 2015.

Since this site falls within the Old & Historic District, a Certificate of Appropriateness from the Architectural Review Board has been sought and granted.

**All deeds shall be fully executed and approved by the town attorney**

**Any bonds required by this project shall be posted prior to issuance of the plat for recordation and permits.**

**Any fees associated with the review and approval of the final subdivision plat must be paid.**

### PART III

#### **STAFF CONCLUSIONS**

The proposed Final Subdivision Plat, having been duly reviewed and accepted by Town Staff, has been deemed consistent with the applicable provisions of the Town Code. PWCSA and VDOT have provided no objection to the development, it is therefore Staff's recommendation to grant **reapproval of the Final Subdivision Plat contingent upon the emboldened items above.**

**PREPARED BY:** Ned A. Marshall, Zoning Administrator, JANUARY 5, 2018

**APPROVED BY:** 



**December 30, 2017**

From: Chris & Jillian Kiely

To: Occoquan Planning Commission / Plat Reviewers

RE: List of Edits to Plat Document Language

Edits to plat which are listed below were made to address Mr. Crim's comments and to ensure language in the plat matches signed Maintenance Agreement with the Town of Occoquan.

1. Plat Note section 4: Changes language to match the Maintenance Agreement
2. Plat Note section 5: Changes language to match the Maintenance Agreement
3. Plat Note section 5: Changes language to match the Maintenance Agreement
4. Plat Note section 9/12: The word "respective" added for clarification
5. Parking Easement: Notation Added for clarification

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
1	A new Town traffic study should be prepared based on current and future growth.		X	X		Town Manager, Community Plan	CIP	FY2017	PARTIALLY COMPLETED FY2018 - Coordinate with VDOT
2	Based on the traffic study, the Town should implement an enhanced street and traffic flow management and execution plan for local and commuter traffic, particularly during peak hours and holidays. The management plan should not jeopardize current Town historical, environmental, business flow, and resident living concerns. Traffic calming measures should be considered as part of any traffic flow management plan.	X	X			Town Manager, Community Plan	CIP	FY2017 FY 2018 FY 2020	Include as part of Community Plan; Coordinate with VDOT regarding cut-through impacts
3	As part of the parking and traffic study, the Town should investigate and make recommendations on the need to widen portions of Commerce Street between Union and Washington Street to accommodate additional on-street parking. Any widening project will include new curbs and brick sidewalks consistent with other Business District improvements.	X	X	X		Town Manager, Community Plan	CIP	FY2017	PARTIALLY COMPLETED 2017 Parking Study, Preliminary Review
4	It is encouraged that all Town sidewalks be 6 to 10 feet in width on each side. Within the historic district, such sidewalks shall be brick.	X	X			Town Manager, Community Plan	CIP, Grant	Ongoing	Usually held to VDOT standard of 5'
5	As a part of the site plan or subdivision approval process, developers should be required to improve adjoining streets to VDOT standards.	X	X	X	X	Planning Commission, Town Council	Property Owner, Developer	Ongoing	Generally occurs when preparing Site Plans

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
6	All residential streets serving lots less than one acre in size should be constructed with curbs and gutters and with sidewalks on at least one side.	X	X	X	X	Planning Commission, Town Council	Property Owner, Developer	Ongoing	Curb and gutter required when making street improvements
7	No street rights-of-ways in Occoquan should be vacated until the surrounding properties have been fully developed or an alternate plan for handling automobile circulation in the vicinity has been endorsed by affected property owners and by Town Council.		X			Planning Commission, Town Council	Property Owners	Ongoing	
8	A new Town parking study should be conducted based on current and future expected growth.	X	X	X	X	Town Manager, Community Plan	CIP	<del>FY2018</del> FY2017	COMPLETED FY2018
9	Based on the parking study, the Town should work on an improved parking management and execute the plan. Courses of action should be developed to improve commercial district and nearby residential area parking rules.	X	X	X		Planning Commission, Community Plan	CIP	<del>FY2017</del> FY 2018	Review Parking Study Recommendations, incorporate as part of community plan
10	Continue to look for suitable close in sites and develop Town-owned parking lots.		X	X	X	Town Manager, Community Plan	CIP	Ongoing	Community Plan FY2020
11	Continue to require developers to provide appropriate off-street parking.		X	X	X	Planning Commission, Town Council	Property Owners, Developers	Ongoing	Off Street parking reviewed for developments
12	Encourage use of business-owned vacant land for commercial parking.		X			Town Council		Ongoing	Parking Study Recommendation

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
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13	It is recommended that the Town conduct a community planning project to identify streetscaping, sidewalk, traffic, parking and overall community development planning. Such planning shall include intersection improvements to install crosswalks and increase pedestrian safety and circulation.	X	X	X		X	Town Manager	CIP	FY2017 FY 2018 FY2020	
14	The Town shall continue to improve and expand sidewalks to preserve downtown historical character. Pedestrian access serves as the life-line of commerce and daily living activities for residents and visitors alike.	X	X	X	X		Town Manager, Community Plan	CIP	Ongoing	FY2019 - matching funds for VDOT TAP Grant
15	Improve pedestrian circulation facilities so as to decrease automobile reliance.	X	X	X	X		Town Manager, Community Plan	CIP	Ongoing	Community Plan
16	Planning for a Riverwalk, with vegetation buffers to mitigate stormwater runoff, shall be finalized and a revenue stream identified to complete the project.	X	X	X	X		Planning Commission, Community Plan	CIP, Grant, Property Owners, Developers	FY2018 FY2020	Community Plan
17	Designated transportation pick-up and drop-off locations for public school and private transport should be considered as part of the overall Town strategy.		X			X	Planning Commission, Community Plan	CIP	FY2017 FY 2018 FY2020	Community Plan
18	The Town should conduct a community study to improve and expand the use of brick sidewalks to the Town center. The study should also incorporate streetscaping, beautification, and woodland protection.	X	X			X	Town Manager, Community Plan	CIP	FY2017 FY 2018 FY2020	Community Plan

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
19	The Town should continue to safeguard and improve Town gateways as they are of great importance to community business growth. Important consideration should be placed on the protection and preservation of gateways as they serve to affirm the Town's historical and environmental characteristics.	X	X	X	X	Town Manager, Community Plan	CIP	Ongoing	Community Plan
20	The Town will pursue designation of Tanyard Hill Road as a State scenic byway as one way of preserving its character.	X	X		X	Planning Commission	CIP	FY2017 FY2018	
21	The Town should plan in its CIP for how to implement and finance improvements to the Town's gateways.		X		X	Planning Commission, Town Manager, Budget/CIP	CIP	Annually	Community Plan, CIP Planning
22	The Town will protect its tributary streams and the Chesapeake Bay from nonpoint source pollution through the continued application of its Chesapeake Bay Preservation Ordinance and Erosion and Sediment Control Ordinance.				X	Planning Commission, Engineering	Operating Fund, Developer	Ongoing	COMPLETED Included in Chapter 66 Zoning
23	Minimize the environmental impacts of site development through the continued use of performance standards.	X			X	Planning Commission, Engineering	Operating Fund, Developer	Ongoing	COMPLETED Included in Chapter 66 Zoning
24	Vegetative buffer areas along the Occoquan River will be established during development or redevelopment where not in conflict with future plans for an Occoquan Riverwalk.				X	Planning Commission, Engineering	Operating Fund, Developer	Ongoing	Riverwalk planned from Museum to Route 123 bridge

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
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25	Preserve natural open spaces and forest resources.	X		X		Planning Commission, Engineering	Operating Fund, CIP, Grants	Ongoing	Community Plan
26	Water quality best management practices that require little or no surface space (such as sand filtration systems and rooftop detention) will be required in densely developed areas to address water quality without detracting from the Town's unique urban character.	X		X		Planning Commission, Engineering	Operating Fund	Ongoing	Included in Chapter 66 Zoning
27	Where practical and feasible, the Town will retrofit older stormwater management facilities to perform water quality functions to better protect downstream areas from degradation.			X	X	Town Council, Town Manager, Engineering, Stormwater Management Plan	CIP, Grants	Ongoing	Stormwater Management Plan
28	Long-term operation of privately-owned BMPs established in compliance with the Chesapeake Bay Preservation Ordinance will be ensured through maintenance agreements and regular site inspections.			X		Town Manager, Engineering, Stormwater Management Plan	Operating Fund	Ongoing	Stormwater Management Plan, Annual Reporting
29	Ensure new development and redevelopment complies with the Town's Chesapeake Bay Preservation Ordinance.			X		Planning Commission, Engineering	Operating Fund, Developer	Ongoing	Included in Chapter 66 Zoning
30	Protect the important natural function of floodplains by limiting disturbance and development activity.			X		Floodplain Manager, Planning Commission	Operating Fund	Ongoing	Included in Chapter 66 Zoning

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
31	Encourage the use of newer, more effective BMP strategies as they become available.			X		Planning Commission, Engineering	CIP, Developer	Ongoing	Included in Chapter 66 Zoning
32	Monitor the Town's surface and groundwater resources. The Town will continue to work with the Environmental Protection Agency and the Department of Environmental Quality to prevent and remediate underground storage tank spills. The Town will also continue working with the Prince William County Health Department to prevent septic tank failures.			X	X	Town Manager, Engineering	Operating Fund	Ongoing	Stormwater Management Plan
33	Update erosion and sediment regulations and enforcement procedures as more effective practices become available.			X		Town Council, Town Manager, Engineering	Operating Fund	Ongoing	Included in Chapter 66 Zoning, Continual Review
34	Development on significant steep slope areas in excess of a 20% grade is strongly discouraged. Development in areas with highly erodible soils, including areas of less than 20% grade must demonstrate that water quality will not be adversely affected.			X		Town Manager, Engineering	Operating Fund, Developer	Ongoing	Included in Chapter 66 Zoning
35	Boating and other tidal shoreline access structures should be sited, designed, and constructed in such a manner that minimizes adverse environmental impacts.			X		Town Manager, Engineering, Planning Commission	Developer	Ongoing	Included in Chapter 66 Zoning, Requires Town and USCOE Permitting
36	Encourage stewardship of the Town's natural resources through increased awareness of environmental impacts from daily activities.			X		Town Manager, Planning Commission	Operating Fund	Ongoing	

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
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37	Planning Commission will meet with representatives from both Prince William County and Fairfax County Planning Commissions in order to agree on a mutually beneficial and cooperative growth plan for the town and its shared surrounding areas.	X	X	X	X	Planning Commission	Operating Fund	Ongoing	
38	Create a dialogue with LRPA and the Lorton Work House Arts Center in order to enhance town goals that promote the coordination of our surrounding residential areas and neighboring artistic commercial enterprises.	X	X	X	X	Planning Commission, Town Council	Operating Fund, CIP, Grants	Ongoing	Establishment of Arts and Cultural District, 2017
39	The Town's Police Department will continue to partner with both PWC and FC police departments in order to reduce cut through traffic and its impacts.	X	X		X	Police	Operating Fund	Ongoing	Enforcement, coordination with PWC, FC
40	The Town will create a dialogue with PWC and FC Boards of Education in order to promote the cultural and economic history of the town. This cross border education will serve to enhance and promote an inter-county understanding while promoting the past and future of the town.				X	Planning Commission, Town Council	Operating Fund, CIP	Ongoing	
41	The Town will enhance its relationship with Virginia's regional State Historic Preservation Office (SHPO) and PWC historic associations in order to enhance its Preservation efforts and standards. This dialogue will result in a beautification of the town that promotes a revitalized, yet historically accurate, commercial and residential area with an end goal of preserving and enhancing Rockledge.	X	X		X	Town Manager, Planning Commission, Town Council, Non-Profit Historic Association	Operating Fund, CIP, Grants	Ongoing	
42	Occoquan will work with PWC and LRPA in order to maintain a woodland preserve buffer and scenic bypass along Tanyard Hill Road.	X			X	Town Manager,	Operating Fund	Ongoing	Maintaining conservation

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
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						Planning Commission			easement of Oaks III property
43	The geographic extent of the Business (Commercial) District shall not be expanded beyond Center Lane or east of Gordon Boulevard (Route 123).	X	X			Planning Commission	Operating Fund	Ongoing	Business district remained the same during FY2017 zoning update
44	Office development in the Business (Commercial) District shall be limited generally to mixed use projects. Large buildings devoted solely to offices or residential will be considered inappropriate in light of the existing scale and character of buildings and activities.	X	X	X		Planning Commission	CIP, Developer	Ongoing	COMPLETED Included in Chapter 66 Zoning, Requires first floor commercial in B1
45	Residential uses in the Business (Commercial) District are encouraged in order to maintain activity and diversity. Residential uses may be in the form of detached dwellings, multi-family dwellings, or dwelling units combined with commercial activities in one structure. Such development is consistent with historic conditions as well as recent trends. Projects that result in a net loss of residential dwelling units are considered to be undesirable.	X		X		Planning Commission	Developer	Ongoing	FY2017, zoning update process
46	Generally, industrial activities other than craft type activities associated with a retail sales facility, shall be prohibited in the Business (Commercial) District. Industrial activities that serve to re-create those historically associated with the Town may be appropriate if presented in a style and scale consistent with the Historic District.	X		X		Planning Commission	Developer	Ongoing	FY2017, zoning update process

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
47	The preservation of existing older structures shall receive the highest priority in considering the appropriateness of proposed development or redevelopment within the Historic District.	X	X			Planning Commission, Architectural Review Board	Developer	Ongoing	FY2017, zoning update process
48	Architectural review of proposals within the Historic District shall be undertaken from the viewpoint of Occoquan as it developed from its founding through the early 20th century.	X				Architectural Review Board	Developer	Ongoing	FY2017 - ARB update of guidelines
49	The limits of the Historic District shall not be significantly expanded or changed from the current.	X				Planning Commission, Town Council	CIP	Ongoing	FY2017, zoning update process
50	Beautification and landscaping efforts should enhance the aesthetics of the Town.	X		X		Planning Commission, Town Council, Town Manager	Operating Fund, Developer	Ongoing	Landscaping contract, community plan - street scaping, FY2018
51	The Occoquan Riverwalk, once completed, will be open for public access and use.	X	X			Town Council	Operating Fund	Ongoing	FY2018, Community Plan
52	Development and redevelopment along the Business District portion of the riverfront should plan for access to and/or the expansion of the Occoquan Riverwalk.	X	X			Planning Commission, Town Council	Developer, Operating Fund	Ongoing	FY2017, zoning update process
53	Redevelopment of underutilized properties along the Occoquan riverfront will be actively promoted. Development should be of a water-oriented nature. Mixed use incorporating river front activity, housing, retail and offices will be encouraged.	X	X	X		Planning Commission	Developer, Operating Fund	Ongoing	FY2017, zoning update process

No.	Action Item Description	Community Character/ Life Circulation and Mobility	Economic Vitality/ Diversity	Environmental Stewardship	Regional Coordination	Lead Department, Function	Funding Source	Target Completion Date (FY)	Status
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54	The Town shall periodically review and amend, where necessary, the Zoning Code so as to ensure there are no unnecessary burdens placed on the development or redevelopment of property located within the Town.		X			Planning Commission	CIP	Bi-Annual Review	FY2017, zoning update process
55	Develop a Green Business Recognition Program to highlight and encourage eco-friendly business practices and initiatives. Businesses to be recognized that have received a Green Certificate from a third-party organization.	X	X	X		Planning Commission	Operating Fund	FY 2017	
56	Incorporate public recycling containers as part of the Town's Refuse Container Replacement Schedule. Measure recycling compliance with Town contractor. Include recycling and refuse container plan as part of overall Community Planning process.	X		X		Community Plan, Town Manager	CIP	<del>FY 2017</del> FY2018	FY 2018 - FY2020, trash and recycling container replacement
57	Participate in VML's Green Government Challenge. Obtain at least 100 "Green points" to obtain "Green Government" certification.	X		X		Town Manager	Operating Fund	FY 2018	
58	Pursue designation as Main Street America community.	X	X	X	X	Community Plan, Town Manager	CIP, Grants	FY2019	Committee developing application



# TOWN OF OCCOQUAN Planning Commission Draft Annual Report 2017

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## **Meet the Planning Commission**

The Planning Commission is a board of town residents appointed by the Town Council to advise the Council in all planning and land use matters; to review and make recommendations regarding the Comprehensive Plan, subdivision and zoning ordinances, and other land use regulations; and to conduct public hearings related to planning matters in the town. Sections 2-241 through 2-249 of the Town Code address the activities of the Planning Commission.

Joe McGuire	Chairman	Appointment: 7/1/2014 - 6/30/2018
Daniel Braswell		Appointment: 7/7/2015 - 3/31/2018
Ann Kisling		Appointment: 5/4/2016 - 5/3/2020
Heather Ozuna		Appointment: 5/4/2016 - 5/3/2020
Ryan Somma		Appointment: 5/2/2017 - 4/10/2018
Elliott Perkins		Appointment: 5/2/2017 - 2/2/2019

## **Meeting Dates and Time**

The Occoquan Planning Commission meets at 7:00 p.m. on the second Tuesday of each month at the Occoquan Town Hall when it has business to conduct. Notices of meetings are posed in advance at the Occoquan Town Hall and the Occoquan Post Office. To reach the Planning commission, contact the Town Clerk by telephone at (703) 491-1918, or at [info@occoquanva.gov](mailto:info@occoquanva.gov).



# TOWN OF OCCOQUAN Planning Commission Draft Annual Report 2017

## Zoning and Subdivision Ordinance Update

The Town recently completed its 2016-2026 Comprehensive Plan. The plan included discussions on updating the zoning and subdivision ordinances of the Town Code to ensure appropriate land use within the town, specifically within the business district. Zoning within the Town of Occoquan is discussed throughout the document, but is specifically part of the overall vision for 2026. In addition, Action Items number 44, 45, 46, 51, 52, 53, and 54 are all related to the town's zoning and subdivision ordinances. Since the initial adoption of the Zoning Map in 1981, no significant changes have been made to zoning within the town.

The amendments to the Zoning Ordinance consisted of major changes to the previous Zoning Ordinance. The modification that were made have been broken down into different Articles of the document.

### ***Article I modifications include:***

- Adding a statement indicating the location of the Zoning Map and modifications to the definitions.
- Definitions modifications include:
  - o Updating definition of Alley to be consistent with other portions of the Town Code
  - o Adding definition of Bed and Breakfast
  - o Modifying the definition of Hotel to separate uses o Adding definition of a Food Truck
  - o Adding definition of Homestay
  - o Modifying definition of Person to be consistent with other portions of the Town Code
  - o Modifying definition of Sign to reference Article VIII
  - o Modifying definition of Street to be consistent with other portions of the Town Code
  - o Modifying definition of church and places of assembly
- Removing application portion of the Home Occupation Certificate section. Standards for Home Occupation remain.
- Updated Extension for Zoning Approvals section to reference the Code of Virginia.

### ***Article II modifications include:***



# TOWN OF OCCOQUAN

## Planning Commission

### Draft Annual Report 2017

- R-1:
  - o Dividing uses by those permitted by-right and those permitted by Special Exception
  - o Removing Home Business Occupation standards and referencing Section 66-10
  - o Adding Homestay and Temporary Seasonal Display as accessory uses
  - o Adding Bed & Breakfast to uses permitted by Special Exception
  - o Remove sign regulations to reference Article VIII
- R-2:
  - o Dividing uses by those permitted by-right and those permitted by Special Exception
  - o Removing Home Business Occupation standards and referencing Section 66-10
  - o Adding Homestay and Temporary Seasonal Display as accessory uses
  - o Adding Bed & Breakfast to uses permitted by Special Exception
  - o Remove sign regulations to reference Article VIII
- R-3:
  - o Dividing uses by those permitted by-right and those permitted by Special Exception
  - o Removing Home Business Occupation standards and referencing Section 66-10
  - o Adding Homestay and Temporary Seasonal Display as accessory uses
  - o Adding Bed & Breakfast to uses permitted by Special Exception
  - o Remove sign regulations to reference Article VIII
- R-4:
  - o Dividing uses by those permitted by-right and those permitted by Special Exception
  - o Removing Home Business Occupation standards and referencing Section 66-10
  - o Adding Temporary Seasonal Display as an accessory use
  - o Adding Garden and high-rise apartment projects to uses permitted by Special Exception
  - o Remove sign regulations to reference Article VIII
- B-1:
  - o Dividing uses by those permitted by-right and those permitted by Special Exception
  - o Certain uses that are inconsistent with the intent of the B-1 district moved from being permitted by-right to being permitted with by special exception permit - including residential uses with conditions
  - o Adding Festivals, Town Sponsored as a use permitted by-right
  - o Adding Temporary Seasonal Display as an accessory use
  - o Adding Bed & Breakfast to uses permitted by-right
  - o Remove sign regulations to reference Article VIII



# TOWN OF OCCOQUAN Planning Commission Draft Annual Report 2017

## ***Article III-VII modifications include:***

- Formatting
- Updating code references
- Updating figures

The amendments to the Subdivision Ordinance consisted of major changes to the previous Subdivision Ordinance. The modification throughout in order to be consistent in the document as a whole and to be consistent with the Zoning Ordinance there were made have been broken down into different Articles of the document.

## ***Article I modifications include:***

- Formatting
- Updating definitions to be consistent with other sections of the Town Code and Code of Virginia
- Removing Plan Sketch and Used from definitions

## ***Article II modifications include:***

- Formatting

## ***Article III modifications include:***

- Formatting
- Updating references of Town Council to be Planning Commission

## ***Article IV modifications include:***

- Formatting

## ***Article V modifications include:***

- Formatting
- Removing elements that are not used in the Subdivision process

## ***Article VI modifications include:***

- Formatting
- Including note that preliminary plat process pertains to those subdivisions with more than 51 lots
- Removing elements that are not used in the Subdivision process



# TOWN OF OCCOQUAN

## Planning Commission

### Draft Annual Report 2017

- Updating final plat process to more accurately reflect what is required
- Updating the extension of the subdivision plat approval to address the housing crisis to mirror the Zoning Ordinance and reference the Code of Virginia

#### **Comprehensive Plan Action Item Tracking**

Since the adoption of the Comprehensive Plan the Town Council, Boards and Commissions, and Staff have addressed several of the Action Items illustrated within the Comprehensive Plan.

<b>Status:</b>	Action Item #'s
<b>Started:</b>	2, 9, 10, 11, 13, 19, 25, 39, 42
<b>Completed:</b>	1, 3, 8

For the Annual Report the Planning Commission discussed what Action Items would be a priority for 2018.

<b>Priority:</b>	Action Item #'s
<b>Primary:</b>	12, 21, 37, 38, 55, 57, 58
<b>Secondary:</b>	

# Town of Occoquan Planning Commission Bylaws

## **ARTICLE 1: ESTABLISHMENT**

The planning commission created pursuant to authority contained in the Code of Virginia shall continue in force under the provisions of this division.

## **ARTICLE 2: PURPOSE**

The general purpose of the Commission shall be to guide and promote the efficient, coordinated development of the town in a manner which will best promote the health, safety, and general welfare of its people; preserve and protect the town and its natural resources; and to address the goals and recommendations of the Master Plan.

## **ARTICLE 3: DUTIES OF THE COMMISSION**

The Commission shall perform the following duties:

- (1) Draft, conduct hearings, and recommend a Zoning Ordinance, and subsequent amendments thereto, to the town council.
- (2) Adopt a Master Plan *(or assist the governing body)*, review the Plan regularly, and make necessary updates as required.
- (3) Prepare an Annual Report to the town council.
- (4) Review and take action or recommend appropriate actions to town council on site plan, special land use, and planned unit development requests.
- (5) Review Subdivisions proposals and recommend appropriate actions to the town council.

- (6) Prepare special studies and plans, as deemed necessary by the Commission or town council and for which appropriations of funds have been approved by the town council, as needed.
- (7) Attend training sessions, conferences, or meetings as needed to properly fulfill the duties of commissioner, and for which appropriations of funds have been approved by the town council, as needed.
- (8) Perform other duties and responsibilities as may be requested by the town council.
- (9) Members of the commission may conduct such site visits as deemed necessary to evaluate the application and supporting material. Site visits shall be conducted individually unless otherwise scheduled by the commission, obeying all requirements of the Code of Virginia.

#### **ARTICLE 4: MEMBERSHIP**

**Section 4.1 Membership Requirements.** Membership of the commission shall consist of not less than five nor more than 15 members appointed by town council. Members of the commission shall be residents of the town.

**Section 4.2 Terms.** Each member shall be appointed to hold office for four (4) year term. Vacancies shall be filled by the town council for the unexpired term within 60 days.

**Section 4.3 Certified Planning Commissioners' Training.** The Planning Commission recognizes that all members should understand their roles and responsibilities as defined by the Code of Virginia. It is resolved by the Commission that all newly appointed members to the Planning Commission are expected to complete the Virginia Certified Planning Commissioners Program sponsored by the Citizens Planning

Education Association of Virginia become certified within 16 months of appointment.

The town council may waive this training requirement.

## **ARTICLE 5: OFFICERS**

**Section 5.1 Officers.** The officers of the commission are appointed members of the commission and shall consist of a chairperson, vice-chairperson, and secretary.

**Section 5.2 Duties of the Chairperson.** The chair shall preside at all meetings, appoint committees; and perform such duties as may be delegated by the commission or town council. The commission chairperson shall have the right to appoint new committee members at any time to fill a vacancy.

**Section 5.3 Duties of the Vice-Chairperson.** The vice-chairperson shall act in the capacity of the chairperson in his/her absence.

**Section 5.4 Duties of the Secretary.** The secretary shall serve as the liaison between the commission and the designated town staff who is responsible for the execution of documents in the name of the commission, performing the duties hereinafter listed below, and performing such other duties as the commission may determine.

(1) Minutes. The designated town staff shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records.

(2) Correspondence. The designated town staff shall be responsible for the issuance of formal written correspondence with other groups or persons, as directed by the Commission. All communications, petitions, reports, or other written materials received by the designated town staff shall be brought to the attention of the Commission.

(3) Attendance. The designated town staff shall be responsible for maintaining an attendance record for each Commission member and report those records annually to the Commission for inclusion in the Annual Report to the town council.

Notices/Agendas. The designated town staff shall issue such notices and prepare the agendas for all meetings, as may be required by the Commission.

**Section 5.5 Duties of the Town Council Representative.** The town council representative to the commission shall report the actions of the town council to the commission and update the commission on actions by the town council that relate to the functions and duties of the commission

~~**Section 5.6 Duties of the Zoning Board of Appeals Representative.** If applicable, the Zoning Board of Appeals (ZBA) representative to the commission shall report the actions of the ZBA to the commission and update the commission on actions by the ZBA that relate to the functions and duties of the commission.~~

**Section 5.7 Elections.**

(1) At the January meeting, the commission shall select from its membership a chairperson, vice-chairperson, and secretary who shall serve for a twelve month period and who shall be eligible for re-election.

(2) A candidate receiving a majority vote of the membership present shall be declared elected.

(3) Newly elected officers will assume their office immediately after the election.

**Section 5.8 Terms.** All officers shall serve a term of one (1) year, or until their successors are selected and assume office. Officers may be re-elected, with no officer

serving for more than *(insert designated number of terms)* consecutive terms in any office.

**Section 5.9 Vacancies.** Vacancies in offices shall be filled immediately by regular election procedure with the term expiring in accordance with (3) above.

## **ARTICLE 6: MEETINGS**

**Section 6.1 Regular Meetings.** Regular meetings of the commission shall be held monthly in the town hall on a date established by the commission *(specific date could also be established, i.e. the second Tuesday of each month)*. The dates and times shall be posted at the town hall and a notice should be published in accordance with the Code of Virginia. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established. When a regular meeting date falls on or near a legal holiday, the commission shall select suitable alternate dates in the same month, in accordance with the Code of Virginia.

**Section 6.2 Meeting Notices.** All meetings shall be posted at the town hall according to the Code of Virginia. The notice shall include the date, time and place of the meeting.

**Section 6.3 Special Meetings.** A special meeting may be called by two members of the commission upon written request to the secretary or by the chairperson. The business which the commission may perform shall be conducted at a public meeting of the commission held in compliance with the Code of Virginia. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Code of Virginia, and the secretary shall send written notice of a special meeting to commission members not less than 48 hours in advance of the meeting.

**Section 6.4. Open Meetings.** All meetings of the commission shall be opened to the public and held in a place available to the general public. All deliberations and decisions

of the commission shall be made at a meeting open to the public. A person shall be permitted to address a hearing of the commission under the rules established in Section 6.11, and to address the commission concerning non-hearing matters under the public comment portion of the agenda, as established in Section 6.9 to the extent that they are applicable. A person shall not be excluded from a meeting of the commission except for breach of the peace, committed at the meeting.

**Section 6.5 Public Record.** All meetings, minutes, records, documents, correspondence, and other materials of the commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

**Section 6.6 Minutes.** Commission minutes shall be prepared by the secretary of the commission. The minutes shall contain a brief synopsis of the meeting, complete statement of the conditions or recommendations made on any action; and recording of attendance. All communications, actions, and resolutions shall be attached to the minutes. The official records shall be annually deposited with the township; municipal, or county Clerk.

**Section 6.7 Quorum.** In order for the commission to conduct business or take any official action, a quorum consisting of the majority of the voting members of the commission shall be present. When a quorum is not present, no official action, except for closing of the meeting. The members of the commission may discuss matters of interest, but can take no action until the next regular or special meeting. All public hearings without a quorum shall be scheduled for the next regular or special meeting and no additional public notice is required provided the date, time, and place is announced at the meeting.

**Section 6.8 Voting.** An affirmative vote of the majority of the commission (*if desired, insert "members present"*) shall be required for the approval of any requested action or motion placed before the commission. Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any commission member or directed by the chairperson. All commission members shall vote on every motion placed on the floor unless there is a conflict of interest, as established in ARTICLE 7. Any member abstaining from a vote shall not participate in the discussion of that item.

**Section 6.9 Agenda.** A written agenda for all regular meetings shall be prepared as followed. The agenda for all regular meetings shall be:

- (1) Call to Order
- (2) Roll Call
- (3) Approval of Minutes
- (4) Approval of Agenda
- (5) Public Comments and Communications Concerning Items Not on the Agenda
- (6) Scheduled Public Hearings
- (7) Unfinished Business
- (8) New Business
- (9) Other Matters to be Reviewed by the Commission
- (10) Administrative Items
- (11) Adjournment

Any commissioner may request that an item be placed on the regular meeting agenda for discussion provided such request is made not less than two (2) weeks prior to the next regular meeting and provided that such request is approved by the chairperson.

**Section 6.10 Rules of Order.** All meetings of the commission shall be conducted in accordance with generally accepted parliamentary procedure, as governed by “Robert’s Rules of Order.”

**Section 6.11 Public Hearings.** Hearings shall be scheduled and due notice given in accordance with the provisions of the acts and ordinance cited in ARTICLE1. Public hearings conducted by the commission shall be run in an orderly and timely fashion. This shall be accomplished by the establishing hearing procedures.

**When to allow members to declare conflicts of interest?**

1. Open Public Hearing
2. Read Chairman's Statement
3. Applicant Presentation and Staff Presentation (order shall be determined by the Commission at the meeting)
4. Public Testimony/Comments
5. Applicant Rebuttal
6. Planning Commission Questions
7. Close Public Hearing
8. Planning Commission discussion
9. Planning Commission Action
10. Advise Public of Next Step in the Process

**Section 6.12 Notice of Decision.** A written notice containing the decision of the Commission will be sent to petitioners and originators of a request.

**ARTICLE 7: CONFLICT OF INTEREST**

**Section 7.1 Declaration of Conflict.** Commission members shall declare a conflict of interest when any one (1) or more of the following occur:

- (1) A relative or other family member is involved in any request for which the commission is asked to make a decision.
- (2) The commission member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency, or association.
- (3) The commission member owns or has a financial interest in neighboring property. For purposes of this Section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance, or other applicable Ordinance. The commission shall make a determination regarding the presence of a conflict of interest.
- (4) There is a reasonable appearance of a conflict of interest, as determined by the commission member declaring such conflict.

**Section 7.2 Requirements.** When declaring a conflict, the commission member shall do all of the following:

- (1) Announce a conflict of interest and state its general nature.
- (2) Abstain from any discussion or votes relative to the matter which is the subject of the conflict.
- (3) Absent himself/herself from the room in which the discussion takes place.

## **ARTICLE 8: ABSENCES, REMOVALS, AND RESIGNATIONS**

**Section 8.1 Absences.** In order to be excused from a meeting, members of the commission shall notify the commission chairperson when they intend to be absent from the meeting. Failure to make this notification at least twenty-four (24) hours prior to the meeting shall result in an unexcused absence. More than four (4) consecutive,

unexcused absences or absences at twenty-five (25%) percent of all meetings in any one (1) fiscal year shall be considered nonperformance of duty and cause of removal from the commission.

**Section 8.2 Removal.** Members of the commission may be removed by the town council for nonperformance of duty, misconduct in office, or upon failure to declare a conflict of interest upon vote by the majority, after written charges have been prepared and a hearing conducted.

**Section 8.3 Resignation.** A member may resign from the commission by sending a letter of resignation to the town council or commission chairperson.

## **ARTICLE 9: AMENDMENTS**

These rules may be amended by the commission by a concurring vote pursuant to subsection 3.7, during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least 3 days prior to the meeting at which such amendments are to be considered.

Oath of office?

Onboarding procedure for new members.