



# TOWN OF OCCOQUAN

Circa 1734 • Chartered 1804 • Incorporated 1874

314 Mill Street  
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Occoquan, VA 22125  
(703) 491-1918  
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## Occoquan Town Council

Tuesday, February 2, 2016

**Special Meeting | 6:30 p.m.**

1. **Call to Order**
2. **Closed Session**  
*Personnel Matter*
3. **Adjournment**  
*Adjourn until start of regular meeting.*

**Regular Meeting | 7:00 p.m.**

4. **Call to Order**
5. **Pledge of Allegiance**
6. **Citizens' Time** - Members of the public may, for three minutes, present for the purpose of directing attention to or requesting action on matters not included on the prepared agenda. These matters shall be referred to the appropriate town official(s) for investigation and report. Citizens may address issues as they come up on the agenda if advance notice is given during 'Citizens' Time'.
7. **Approval of Minutes**
  - a. January 5, 2016 Regular Meeting Minutes
  - b. January 19, 2016 Work Session Meeting Minutes
8. **Councilmember Reports**
9. **Mayor's Report**
10. **Staff Reports**
  - a. Town Attorney
  - b. Town Engineer

**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](http://www.occoquanva.gov).*

- c. Building Official
- d. Town Manager
- e. Chief of Police
- f. Boards and Commissions

**11. Public Hearings**

- a. Joint Public Hearing of the Planning Commission and Town Council on Revised Floodplain Ordinance and Associated Subdivision Amendments

**12. Regular Business**

- a. Request to Approve Floodplain Management Ordinance and Associated Subdivision Amendments
- b. Request to Award Contract for Construction of Phase II of the River Mill Park Project

**13. Closed Session**

*Personnel Matter*

**14. Adjournment**



**OCCOQUAN TOWN COUNCIL**  
**Regular Meeting Minutes - DRAFT**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, January 5, 2016**  
**7:00 p.m.**

**Present:** Mayor Liz Quist, Vice Mayor Pat Sivigny, Councilmembers Joe McGuire, J. Matthew Dawson, and Tyler Brown  
Staff: Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Ned Marshall, Zoning Administrator; Matt Williams, Assistant Town Engineer/Zoning Administrator; Sheldon Levi, Chief of Police  
**Absent:** Councilmember Jim Drakes; Bruce Reese, Town Engineer

**1. Call to Order**

Mayor Quist called the meeting to order at 7:00 p.m.

**2. Pledge of Allegiance**

**3. Citizen's Time**

None.

**4. Approval of Minutes**

It was moved to approve the minutes of the December 1, 2015 Regular Meeting and the December 22, 2015 Special Meeting Minutes.

**A motion was made by Council Member McGuire, seconded by Council Member Brown that the Action Item be approved. The motion carried by poll vote, unanimous.**

**5. Council Member Reports**

None.

**6. Mayor's Report**

None.

**7. Staff Reports**

**A. Town Attorney:** Mr. Crim, Town Attorney, reported on the following:

1. Requested to remove Item 8A., Reconsideration of Kiely Court Subdivision Plat Conditional Approval, from the agenda. Town Attorney worked with the Kielys' attorney to resolve the issue. The Kielys are not going to contest the contingent approval of the plat, notwithstanding their previous statements that approval or denial are the only options with a subdivision plat. The Kielys are reserving their objection to one of the conditions being the resolution of the sewer lateral problem.

2. There is a pending application for a plumbing permit with the Town for a request to cap the sewer lateral that runs through the Kiely Court property. The Town is waiting for a plumbing report to be provided by the Kiely's within the next few days, which will provide additional information. Allegedly, the sewer line is open to the air and is a potential nuisance. The two options are to deny the permit, in which case the Kiely's have indicated that they will file suit or approve the permit, after which it would be expected that the neighboring property owners would file suit. We have requested that the Kiely's attorney leave the Town out of the middle of it and resolve the issue. Ultimately, it is a question of whether it is a matter of health and safety. The Town's Building Official is responsible for determining whether or not to issue the permit.
  3. Advised that there are currently no bills issued in the General Assembly regarding the use of body worn cameras. The bill is needed to address the document retention issue that comes with the use of body worn cameras. The amount of data that will be produced across the Commonwealth from the use of body worn cameras is going to be very expensive to maintain. Policy guidance is needed on how long to retain the files and data, as well as how to store data. Currently a model policy is being developed and Prince William County currently has a draft policy, of which our policy will be modeled after should the Town move forward with body worn cameras. If the Town collects this data and does not follow the Virginia Library of Congress laws regarding document retention, the Town will be in violation. Currently, each video, depending on the issue, would need to be retained in accordance of VA Library of Congress schedules as it relates to the content.
  4. Spoke with the Attorney from Fairfax Water regarding the Town events issue at River Mill Park; they have requested a list of what the Town events are that will be held in the park. They have said that they can include weddings and other events within that calendar.
- B. Town Engineer:** Mr. Marshall, Zoning Administrator, reported on the following engineering activities:
1. Land Disturbance Activity report
    - a. Vistas at Occoquan – revised plans to extend sidewalk to Rivertown project.
  2. Floodplain Ordinance has been revised and will be before Planning Commission next week and to Council in February.
  3. Occoquan Heights – the hazardous trees have been removed and we are working with Elm Street in regards to the installation of the by-pass system for the Stormwater facility. The timeline is unknown at this time of when it will be installed.
  4. River Mill Park
    - a. Retaining wall work is completed.
    - b. The masonry work on the outside of the building is completed.

- c. Work on the footbridge is currently underway; the footbridge will be closed until work is completed.
  - d. Working through some plumbing and electrical issues.
  - e. Current schedule shows Phase I being completed by end of January.
  - f. Advised Town Council that Mr. Williams submitted his resignation to the Engineering Groupe effective the end of January. He and his family will be relocating to Oregon.
  - g. Mr. Brown inquired about the status of the brick paver program. Ms. Jovanovich stated that the program is ongoing and there is space for approximately 1,100 bricks and currently, approximately 100 have been sold.
- C. Building Official:** Mr. Barbeau was not present, however, his report was submitted as part of the meeting agenda. Mr. Dawson noted an error of an address in the building report; 208 Commerce Street is not the correct address - correct address reference is 304 Commerce Street.
- D. Town Manager:** Ms. Jovanovich, Town Manager, submitted a manager's report as part of the agenda and held further discussion on the following:
- a. Reminder that Town Manager will be out of the office during the last week of January for Certified Floodplain Manager training in Blacksburg, VA.
  - b. Mr. Dawson asked if they were going to repave repair area on Mill Street in front of the hair salon as it was not compacted correctly and the area is sinking. Ms. Jovanovich advised that it was done by the PW Service Authority and she would inquire as to if the area is going to be repaved.
- E. Chief of Police:** Chief Levi provided his December 2015 report with the agenda packet. No questions.
- F. Boards and Commissions:** Council Member Dawson, serving as Council representative on the ARB, submitted the December 2015 ARB report. ARB approved one sign application.

It was moved to reappoint Carol Bailey, Carol Bryant, Bobbie Frank and Brenda Seefeldt to the Architectural Review Board. Their respective terms will be for three years from the date of the end of their current terms.

**A motion was made by Council Member McGuire, seconded by Council Member Brown that the Action Item be approved. The motion carried, unanimous.**

## 8. Regular Business

### A. Request to Reconsider Conditional Approval of Kiely Court Final Subdivision Plat

Item was removed from the agenda. No action taken.

### B. Request to Approve 308 Commerce Street Site Plan

It was moved to approve the final site plan for 308 Commerce Street.

**A motion was made by Vice Mayor Sivigny, seconded by Council Member McGuire that the Action Item be approved. The motion carried, unanimous.**

### C. Request to Approve Request to Place Dumpster and Enclosure in Town ROW

It was moved to approve the placement of a commercial dumpster and appropriate enclosure within the Town's right-of-way on Poplar Alley and authorize the Mayor to sign the license agreement.

**A motion was made by Council Member McGuire, seconded by Council Member Dawson that the Action Item be approved. The motion carried by poll vote, unanimous.**

### D. Request to Approve Emergency Water Heater Replacement in Town Hall

It was moved to approve after-the-fact replacement of the water heater in Town Hall in the amount of \$2,475 and payment of a \$1,000 insurance deductible to make necessary repairs associated with the damage caused by the failed water heater.

**A motion was made by Council Member McGuire, seconded by Vice Mayor Sivigny that the Action Item be approved. The motion carried by poll vote, unanimous.**

### E. Request to Purchase Replacement Traffic Cones

It was moved to approve the purchase of 50 safety cones from Traffic Safety Store for \$1,225 from Public Safety Grant funds.

**A motion was made by Council Member Brown, seconded by Council Member Dawson. The motion carried by poll vote, unanimous.**

**F. Request to Accept Used Police Cruiser from Town of Quantico**

It was moved to purchase the used police vehicle from the Town of Quantico for the amount of \$1.00 and to set a not-to-exceed amount of \$2,500 for initial maintenance and vehicle marking costs.

**A motion was made by Council Member Brown, seconded by Council Member Dawson. The motion carried by poll vote, unanimous.**

**9. Adjournment**

The meeting was adjourned at 7:47 p.m.

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Kirstyn Jovanovich  
Town Manager/ Acting Town Clerk



**OCCOQUAN TOWN COUNCIL**  
**Work Session Minutes - DRAFT**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, January 19, 2016**  
**7:00 p.m.**

**Present:** Mayor Liz Quist, Vice Mayor Pat Sivigny, Tyler Brown, and J. Matthew Dawson, Jim Drakes and Joe McGuire  
Staff: Kirstyn Jovanovich, Town Manager; Bruce Reese, Town Engineer; Ned Marshall, Zoning Administrator

**Absent:** None.

### **1. Call to Order**

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

### **2. Regular Items**

#### **A. 401 Mill Street (Jennings' Mill) Property Development Presentation**

Nader Abed, Partners Real Estate, stated that he has a client interested in purchasing the property known as Jennings' Mill located along Mill Street. He has been working with Harry Ervin, Ervin Engineering, regarding potential development of the site. He stated that they have evaluated using the current steel structure as part of the development, which is believed to be at 40 to 44 feet in height from the base level. He stated that the current height limitation of 35 feet does not justify the cost of the property and the construction costs. As a result, they would like to go up more floors; closer to 65' in order to make the development worth it for the investors, as well as the community.

He stated that the additional 20+ feet in height would not make a large difference in lines of sight since the property exists at the end of the street. He also stated that it would be important for them to work with the Architectural Review Board to design a project that would be consistent with the character of the community.

Mr. Abed stated that they would propose including a couple restaurants and at least three or four small businesses; would like to keep it the way it is now, focusing on bringing in small 'mom and pop' shops. The proposed development would include 100 residential units. He stated they also discussed the potential of having a restaurant on the top level overlooking the park and water. At this point, he stated that they have not placed a contract on the property as they would need something like this approved by the Council. Mr. Abed also mentioned providing parking for the living units. He stated that they want to keep as much as they can that currently exists on the property, including creating a façade of the old Lyric Theater, in order to display the Town's history and keeping in the character of the Town. He discussed including a Riverwalk along the rear of the property and expanding the front sidewalk to accommodate outside seating.

The most important aspect to them is the parking and the traffic impact. He stated that the residential units are going to be luxury condos.

Mayor Quist stated that she understood that they need to make it worth their client's while. Mr. Abed commented that they want to make it worth it for the town, as well.

Mayor Quist asked if the areas that he would like the Council to provide assistance on in the Town Code is on parking and height restrictions. Mr. Abed said yes. They are looking to include as many units as possible, while still keeping the development functional.

Mr. Dawson asked if there was room for two levels of parking below grade. Mr. Abed stated potentially; that would be something else to look at. Mr. Dawson stated that he does not want to budge on parking requirements in town; the facility needs to have adequate parking. Mr. McGuire concurred and stated he didn't want to permit something that was going to impact parking for current restaurants and businesses. Mr. Drakes stated that the size of the unit/number of units was surprising and inquired as to whether or not the market demand existed for that type of luxury unit. Mr. Abed stated that they have not completed all of the research yet as they do not currently own the property. He did say there is a strong market demand for that type of unit in the area.

Mr. Abed stated he just wanted the opportunity to discuss this prospect with Council and obtain guidance on issues or concerns that the Council might have with the potential project. He stated that with the structure that is there, anything that is placed there will bring in more traffic and impact parking and traffic within town.

Mayor Quist clarified that the 65 feet that he is suggesting as the height for the structure is from street level (6 stories from street level), not from the deck. Mayor Quist asked if the current structure was 60 feet from the deck. Mr. Ervin stated that the current structure that is on the site is 44 feet from the deck. Mayor Quist requested confirmation on the height of the current steel structure.

Mr. Drakes stated that he would have concerns about visibility of the Mill House Museum if a 65 foot structure is built next to the museum. Mr. Abed stated that if the sidewalk is wide enough, the building could be set back further to allow the Museum to be seen. He also stated that there could be a way to incorporate the Museum or connect the Museum to the property so as to highlight the Museum and history of the town. Mayor Quist encouraged incorporating the façade of the Lyric Theater into the project's design.

The Town Council requested a better display of what six floors would look like in the town's current environment. Council requested line of sight displays from Mill Street, the Occoquan River, and the hill. also stated that they would not want to approve anything that would stress the current parking situation and would actually be

interested in relieving that situation. Mr. Abed said there could be a potential for a second level of parking; however, there is concern about how many stairs would be needed to get into first level businesses. Council suggested adding a second level of parking just on the back of the lot or on the west end of the lot.

Mr. Abed said they will go back and take a look at the parking situation and see if they can address those concerns; however, he asked that Council consider providing additional height. Council requested additional displays to illustrate the heights in the town's current landscape.

### **B. Floodplain Management Ordinance and Associated Subdivision Amendment**

Bruce Reese, Town Engineer, stated that DCR is working with FEMA to ensure that localities are in compliance with FEMA's regulations as it relates to the National Flood Insurance Program. The Town underwent a Community Assistance Visit this past summer, and as a result, the Town is required to revise its Floodplain Ordinance. The major changes are:

- Adding definitions that come out of the state regulations;
- Adding State Code references;
- Updating new definitions;
- Accommodating new FIRM map;
- Adding any development within the floodplain will require a special exception;
- Adding official Floodplain Administrator and duties, as well as option to bring in expertise;
- Accommodating manufactured homes;
- Adding provisions for historic structures;
- Outlined appeal process;
- Added General Standards;
- Updating subdivision ordinance, minor change.

He stated that it is a much stronger ordinance than what we currently have. A joint Planning Commission and Town Council public hearing has been scheduled for February 2, 2016. Mr. Dawson asked if the Town had new FEMA Flood Insurance Rate Maps (FIRMs). Mr. Reese stated that Prince William County's maps were recently updated, but the Town's FIRMs have not been updated since 1995.

### **C. Comprehensive Plan Update Final Report**

The Comprehensive Plan Final Report will be presented at the February work session.

### **D. Poplar Alley Dumpster Enclosure**

Ms. Jovanovich stated that during the January Regular meeting, Town Council approved to enter into a license agreement with Stonehouse Restaurant Group, which owns the Secret Garden, to place a dumpster and enclosure within the Town's right of way on Poplar Alley. Currently, the dumpster exists in the right of way, without an agreement with the town. Since the meeting, staff received comments from the

two adjacent property owners who were not happy with the fact that the town was going to allow the dumpster to remain in the right of way. One property owner was concerned about access to two parking spaces that exist on her property and the other was concerned with being able to access his property from the rear of off of Poplar Alley. As a result, staff worked with the owner of Secret Garden to reduce the size of the dumpster and enclosure so that it did not encroach any further than what it currently does into the alley so as to continue to allow access to the two properties from Poplar Alley. The two adjacent property owners have advised staff that the dumpster was supposed to be temporary 20 years ago with the previous property owner and do not want the dumpster in that location whether or not it is smaller or enclosed. Staff has done as much as possible administratively to resolve this issue. Since this information was not provided during the last Council meeting, Ms. Jovanovich wanted to ensure Council was aware of the property owners' concerns and requested guidance from Council on whether or not to enter into the license agreement or require the owner to remove the dumpster and relocate it onto private property.

The Town Council discussed the impacts of leaving the dumpster, potential of moving it to private property and the history of the dumpster existing within that location. Ms. Jovanovich clarified that in working with the owner of the dumpster, we reduced the proposed size to just enclose the dumpster size that is currently there, so there should be little to no change in the current ability to access either of the adjacent properties. In general consensus, the Town Council is comfortable with moving forward with the license agreement with the reduced size of the dumpster and enclosure.

#### **E. Other Items**

1. Mayor Quist stated that the Town Manager and she have met with Ave Spece with the Workhouse Arts Center, and they are still interested in holding their arts event on the same weekend in September as the Town's Arts and Crafts Show, and because we have not been able to communicate our objection to this effectively in person, she has drafted a letter in response and is seeking Council support on the fact that the Town doesn't want to turn this into a joint event by sharing resources. The town is concerned that since the Workhouse is looking to grow their event, we would be pulling from the same, shrinking pool of vendors, and potentially causing confusion of the two events. Ms. Jovanovich stated that there are opportunities to partner with them on events where we are each doing something a little different, but would hesitate on partnering on the annual craft show. The town is looking to improve the quality of vendors and as a result, since they are looking to grow to a comparable size to the Town, we will be pulling from the same vendor pool. In the long run, partnering on this event, where the two organizations have similar goals and activities, will not be beneficial to the town. In the end, regardless of whether or not the Town supports them holding the event on the last weekend in September, it is up to them on when they want to hold it. There is a high likelihood that they will

still choose to hold the event during the last weekend in September, with or without the town's support and cooperation. Mayor Quist stressed the importance of protecting the show and the funding that the show generates in support of the Town's capital improvement plan. Ms. Jovanovich stated that she hopes that regardless of what choice the Workhouse makes in regards to which weekend to hold their event, that it will not impact the town's ability to work with the Workhouse on other events that wouldn't necessarily be competing events. By consensus, Town Council agreed to send the letter requesting they not hold the event on the same weekend as the Town's Craft Show.

2. Ms. Jovanovich requested to change the title of Craft Show Director to Events and Community Development Director and include the additional duties that were assigned to the position during the Fiscal Year 2016 budget process including parks programming and community outreach. By consensus, Town Council agreed to change the title of the Craft Show Director position to Events and Community Development Director.

### 3. Adjournment

The meeting adjourned at 8:12 p.m.

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Kirstyn Jovanovich  
Town Manager/ Acting Town Clerk



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**TOWN COUNCIL**  
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Patrick A. Sivigny, Vice Mayor  
Tyler C. Brown  
J. Matthew Dawson  
Jim Drakes  
Joe McGuire

**TOWN MANAGER**  
Kirstyn Barr Jovanovich

**BUILDING OFFICIAL**  
Joseph E. Barbeau, Jr.

## JANUARY 2016 REPORT TO THE TOWN COUNCIL BUILDING OFFICIAL REPORT

### PERMITS ISSUED

No new permits issued, one permit application denied (see below)

### CERTIFICATES OF OCCUPANCY ISSUED

No Certificates of Occupancy have been issued in this month.

### INSPECTIONS

Date	Activity
12/28/2015	Inspection of new Underslab drain lines at 125 Mill St., Approved.
1/11/2016	Inspection of Truss Installations at 458 Mill St., Approved.
1/18/2016	Walk thru with prospective owners of 408 Mill St., to discuss renovation and permitting issues for this property.
1/18/2016	Inspection of the Water Line Connection at 458 Mill St., Approved.
1/21/2016	Inspection of conditions prior to the placement of concrete for exterior slabs at 458 Mill St., Approved.

### DOCUMENT REVIEW

Electrical plans reflecting some minor changes at 458 Mill St. have been submitted and reviewed. The drawings confirm the minor field changes that have been made at this site.

### ACTIONS

A Permit to cut and cap a pipe of unknown activity and terminations; that traverses 430 Mill St. was denied, until such use and terminations were identified. This action has aggrieved the property owner for that address, whom is now seeking an Appeal of this denial through Prince William County, which is by agreement the adjudicator of such an Appeal. It is the position of this office that the granting of this permit without such knowledge had the potential to adversely affect the adjoining properties, and any granting of a permit for such work places the burden of proof for the use and terminations upon the landowner seeking this permit. As this information was not supplied, this permit could not be granted. The Appeal date has not been set at this time. This office will keep the Council informed regarding this matter.

### RECOMMENDATIONS

There are no recommendations for the Council at this time.

**OTHER**

No other issues are before us at this time.

**End of Report, submitted on 1/27/16.**



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J. Matthew Dawson  
Jim Drakes  
Joe McGuire

**TOWN MANAGER**  
Kirstyn Barr Jovanovich

## **Town Manager's Report Town Council Meeting – February 2, 2016**

### **Delinquencies**

Meals Tax Delinquencies: Pink Bicycle (August, September, October, November, December), Occoquan Inn (November, December), Wolfe & Beene (August, September, October, November, December) and Riverside Coffee and Mini Mart (September, October, November, December). Continuing to work through VFW meals tax issue.

### **Snow Removal – January 22 – 24, 2016**

A significant snow storm impacted our region during the weekend of January 22, through January 24, 2016, bringing over two feet of snow accumulation to the Town. Throughout the duration of the storm, the Town's Maintenance Supervisor Mr. Brill remained in town to monitor the storm, and address storm impacts. In addition, Mr. Brill continued to monitor and organize clean-up activities during the following week. I maintained communication throughout the storm with Mr. Brill, the community through social media, website updates and email, as well as Council on the status of the storm and town actions. In addition, Chief Levi, while out of town, was able to assist by arranging resources for towing and public safety support, should it be needed. This was the first time that the snow emergency routes were enacted, and as a result, we were able to quickly clear parking areas and streets within the historic district, even with the historic snowfall totals. In addition, Councilmember Dawson assisted with identifying resources to aid in snow removal and Mayor Quist assisted by covering Town Hall operations due to staffing issues so that we could resume normal business activities. As a result, we have received a significant number of compliments and expressions of appreciation from the community. This was truly a team effort that has resulted in a positive impact for our community. Since this was such a large storm and we used additional resources, we do believe that the costs for snow removal for this one event will exceed \$10,000. After-the-fact approval will be requested at a future meeting. Staff will have a snow after-action meeting on Wednesday, February 3, 2015, to discuss potential process improvements.

### **Town Clerk Hiring Process**

The hiring committee interviewed nine candidates and will bring the top two candidates for a final interview with Council on February 2, 2016, with the request to make an appointment.

### **Leadership Prince William**

The January Leadership Prince William session was canceled due to weather. The next session is February 18, 2016, and will focus on health and human services

### **CFM Training**

I attended Floodplain Management training from January 25, through 29, 2016 in Blacksburg, VA. I also took the Certified Floodplain Manager exam; results will be available within four weeks.



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J. Matthew Dawson  
Jim Drakes  
Joe McGuire

**CHIEF OF POLICE/  
TOWN SERGEANT**  
Sheldon E. Levi

## **JANUARY 2016 REPORT TO THE TOWN COUNCIL CHIEF OF POLICE REPORT**

- **New Year's Eve:**
  1. While on patrol at the beginning of my shift, I pulled up alongside a stopped vehicle to check if everything was OK. The driver told me she was dropping two boys (early teens) off. I asked if they live in the area, and the driver said yes and pointed to a house. I said OK and wished everyone a happy new year, and then drove away. The mother of the two boys called me questioning my right to question her sons, and accused me of racial profiling. I referred her to the Town Manager if she wished to file a complaint.
  2. Provided a "blue light" exit from the VFW for a bride and groom who were off to their honeymoon.
  3. Responded to assist PWCPD trying to locate a DUI that was being followed by a citizen on Old Bridge Road by the Town. I and the First Sergeant were able to locate and stop the driver. The driver had two previous DUI's, was unlicensed and had a six pack of beer on the seat next to him. The citizen had followed him from Ft. Belvoir before we were able to stop him. The driver was arrested.
  4. From the DUI, I responded to a hit and run on Ellicott Street. The witness was able to get the license plate and give a full statement of what occurred. PWCPD is going to get the appropriate warrants.
  5. From the hit and run, I was dispatched to a domestic assault and battery at Madigan's between a husband and wife; with witnesses. The wife had no visible injuries, refused medical attention, and the husband had left the scene. The husband was contacted via phone and we were able to get him to return to Madigan's. He was immediately arrested upon his return to the scene.
- Responded to assist PWCPD with a suicidal subject at Woodbridge High School. I was in the area enroute to a meeting at the government center when this occurred, and I knew the subject well. The subject had ingested over three dozen pills and was transported to the hospital.
- Attended a meeting of Crime Solvers of Prince William County. They invited me to speak to them about the Town of Occoquan and solicit input from the OPD.



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>11. Public Hearing</b>	<b>Meeting Date:</b> February 2, 2016
<b>11 A. Joint Public Hearing of the Town Council and Planning Commission on the Floodplain Management Ordinance and Associated Subdivision Amendments</b>	

**Explanation and Summary:**

The Federal Emergency Management Agency administers the National Flood Insurance Program (NFIP), and in connection with that program requires participating localities to protect against development which increases the risk of flood damage. The Virginia Department of Conservation and Recreation (DCR) ensures that Virginia localities implement appropriate provisions in their ordinances in order to maintain eligibility for flood insurance through NFIP, and in particular DCR has required Occoquan to adopt changes to its floodplain ordinance by February, 2016. These changes update the ordinance to address critical issues such as special exceptions for development in the Special Flood Hazard Area (one percent storm event), development standards, adoption of the current Flood Insurance Rate Map (FIRM), and changes to the subdivision ordinance to require compliance with the floodplain ordinance at the subdivision plat stage of development.

The Town Council reviewed the proposed ordinance at the January 19, 2016 work session. This is a joint public hearing to obtain public input on the proposed ordinance.

**Engineer's Recommendation:** Concur with the Town Attorney's recommendation.

**Town Attorney's Recommendation:** Recommend closing the public hearing and approving the proposed amendments.

**Town Manager's Recommendation:** Concur with the Town Attorney's recommendation.

**Proposed/Suggested Motion:**

"I move to close the public hearing."

OR

Other action Council deems appropriate.

**Attachments: (2) Draft Ordinance  
Ad Notice**

**AN ORDINANCE TO UPDATE THE FLOODPLAIN MANAGEMENT ORDINANCE, ARTICLE II OF CHAPTER 26 (FLOODS) OF THE TOWN CODE, CONSISTING OF §§ 26-31 THROUGH 26-45, TO ADD IN CHAPTER 26 A NEW ARTICLE III, GENERAL STANDARDS, CONSISTING OF §§ 26-46 THROUGH 26-57, AND TO AMEND RELATED SUBDIVISION ORDINANCES, TOWN CODE §§ 54-1, DEFINITIONS, AND 54-168, FLOODING, GENERALLY RELATING TO FLOODPLAIN PROTECTION**

WHEREAS, The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP), and in connection with that program requires participating localities to protect against development which increases the risk of flood damage, and

WHEREAS, The Virginia Department of Conservation and Recreation (DCR) ensures that Virginia localities implement appropriate provisions in their ordinances in order to maintain eligibility for flood insurance through NFIP, and

WHEREAS, DCR has reviewed this ordinance amendment and found it to be compliant with the requirements of NFIP, such that property owners within the Town will be able to obtain flood insurance;

NOW, THEREFORE,

BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in regular session this 2nd day of February, 2016;

1. That the Town Council hereby amends Article II, Floodplain Management, of Chapter 26 of the Town Code, consisting of §§ 26-31 through 26-45, adds to Chapter 26 a new Article III, General Standards, consisting of §§ 26-46 through 26-57, and amends Town Code § 54-168, Flooding, as follows:

**ARTICLE II.  
FLOODPLAIN MANAGEMENT**

**Sec. 26-31. Authority and Purpose.**

This article is adopted pursuant to Va. Code § 10.1-600 et seq.

The purpose of this article is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and

the impairment of the tax base by:

- (1) Regulating uses, activities and Development that, alone or in combination with other existing or future uses, activities, and Development, will cause unacceptable increases in flood heights, velocities and frequencies.
- (2) Restricting or prohibiting certain uses, activities, and Development from locating within areas subject to flooding.
- (3) Requiring all those uses, activities and Developments that do occur in floodprone areas to be protected and/or floodproofed against flooding and flood damage.
- (4) Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

**Sec. 26-32. Applicability.**

This article shall apply to all privately and publicly owned lands within the jurisdiction of the town and identified as Special Flood Hazard Areas by the Federal Emergency Management Agency.

**Sec. 26-33. Compliance and liability.**

(a) No land shall be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this article and any other applicable ordinances and regulations that apply to uses within the jurisdiction of this article.

(b) The degree of flood protection sought by the provisions of this article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This article does not imply that areas outside the floodplain districts, or that land uses permitted within such districts, will be free from flooding or flood damages.

(c) This article shall not create liability on the part of the town or any officer or employee of the town for any flood damages that result from reliance on this article or any administrative decision lawfully made under this article.

**Sec. 26-34. Abrogation and greater restrictions.**

This article supersedes any ordinance currently in effect in floodprone areas. However, any underlying ordinance shall remain in full force and effect to the extent that its provisions are more restrictive than this article.

**Sec. 26-35. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Base Flood* means a flood that has a one percent chance of being equaled or exceeded in any given year. Also referred to as the 100-year flood.

*Base Flood Elevation (BFE)* means the water surface elevation of the Base Flood in relation to the datum specified on the Flood Insurance Study and Flood Insurance Rate Map.

*Basement* means any area of a building having its floor subgrade (below ground level) on all sides.

*Development* means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of Manufactured Homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operation, or storage of equipment or materials, and the subdivision of land.

*Elevation Certificate* means a FEMA approved form which documents the elevation of a Structure.

*Flood* means a general and temporary inundation of normally dry land areas.

*Flood Insurance Rate Map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community.

*Flood Insurance Study (FIS)* means a report by the Federal Emergency Management Agency that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards

*Floodplain* means:

- (1) A relatively flat or low land area adjoining a river, stream or watercourse that is subject to partial or complete inundation;
- (2) An area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

*Floodplain Administrator* (FA) means the Town Manager, or in the Town Manager's absence another person appointed by Town Council to perform the Town Manager's duties, or any deputy or assistant appointed by the Town Manager to administer this Chapter.

*Floodprone Area* means any land area susceptible to being inundated by water from any source.

*Floodproofing* means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents, as provided in the Virginia Uniform Statewide Building Code.

*Floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than one foot at any point within the town.

*Historic Structure* means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the department of the interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the secretary of the interior; or
- (4) Individually listed in Section 66-222 of the town's Zoning Ordinance.

*Lowest Floor* means the lowest floor of the lowest enclosed area (including Basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area is not considered a building's lowest floor provided such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this article.

*Manufactured Home* means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term “manufactured home” also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

*Manufactured Home Park or Subdivision* means a parcel (or contiguous parcels) of land divided into two or more Manufactured Home lots for rent or sale.

*New Construction* means, for floodplain management purposes, structures for which the Start of Construction commenced on or after November 1, 1994, and includes any subsequent improvements to such structures.

*Recreational Vehicle* means a vehicle that is:

- (1) Built on a single chassis;
- (2) No more than 400 square feet when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

*Special Flood Hazard Area (SFHA)* means the land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Section 26-36 of this article.

*Start of Construction* means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, Substantial Improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a Manufactured Home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a Basement, footings, piers, or foundations or the erection of temporary forms; nor does it

include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a Substantial Improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Structure* means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a Manufactured Home.

*Substantial Damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial Improvement* means any reconstruction, rehabilitation, addition or other improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure before the Start of Construction of the improvement. This term includes structures that have incurred Substantial Damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications that have been identified by the local code enforcement official and are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of an Historic Structure, provided the alteration will not preclude the structure's continued designation as an Historic Structure as determined by the town's Architectural Review Board as defined in Section 66-220 of the town's Zoning Ordinance.

*Violation* means the failure of a structure or other Development to be fully compliant with the town's floodplain management regulations. A structure or other Development without the Elevation Certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided to the Floodplain Administrator.

#### **Sec. 26-36. Description of districts.**

(a) The various floodplain districts shall include the Special Flood Hazard Area (SFHA). The basis for the delineation of these districts shall be the flood insurance study (FIS) and Panel 51153C0217 D of Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency for Prince William County, Virginia and Incorporated Areas, dated August 3, 2015 and January 5, 1995, respectively as amended or revised.

(b) The Floodway district is delineated, for purposes of this article, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the Base Flood without increasing the water surface elevation of that Flood more than one foot at any one point. The areas included in this district are specifically defined in the Flood insurance study and shown on the accompanying FIRM.

(c) The flood fringe district shall be that area of the one percent annual chance floodplain not included in the Floodway district. The basis for the outermost boundary of this district shall be the Base Flood Elevations contained in the flood profiles of the flood insurance study and as shown on the accompanying flood insurance rate map.

(d) The approximated floodplain district shall be that floodplain area for which no detailed Flood profiles or elevations are provided, but where the SFHA floodplain boundary has been approximated. Such areas are shown as zone A on the maps accompanying the flood insurance study. For these areas, the BFE and Floodway information from federal, state and other acceptable sources shall be used, when available. Where the specific BFE cannot be determined for this area using other sources of data, such as the U.S. Army Corps of Engineers Floodplain Information Reports, U.S. Geological Survey Flood-Prone Floodplain Information Reports, and U.S. Geological Survey Flood-Prone Quadrangles, the applicant for the proposed use, Development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, and similar data or reports shall be submitted in sufficient detail to allow a thorough review by the town.

**Sec. 26-37. Official floodplain map.**

The boundaries of the floodplain districts are established as shown on the FIRM, which is declared to be a part of this article and which shall be kept on file at the town offices.

**Sec. 26-38. District boundary changes.**

The delineation of any of the floodplain districts may be revised by the Town Council where natural or manmade changes have occurred and/or where more detailed studies have been conducted or undertaken by the U.S. Army Corps of Engineers or other qualified agency, or an individual documents the need for possibility for such change. However prior to any such change, approval must be obtained from the Federal Emergency Management Agency. A final Letter of Map Revision (LOMR) from FEMA is a record of this approval.

**Sec. 26-39. Interpretation of district boundaries.**

Initial interpretations of the boundaries of the floodplain districts shall be made by the Floodplain Administrator. Should a dispute arise concerning the boundaries of any of the districts, the Town Council shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Council and to submit his own technical evidence if he so desires.

**Sec. 26-40. District provisions.**

(a) All uses, activities and Development occurring within any floodplain district, including the placement of Manufactured Homes, shall be undertaken only upon the issuance of a Special Exception in accordance with 26-44 of this ordinance. Such Development shall be undertaken only in strict compliance with the provisions of this article and with all other applicable codes and ordinances, such as the Virginia Uniform Statewide Building Code. Prior to the issuance of any such permit, the Floodplain Administrator shall require all applications to include compliance with all applicable state and federal laws. Under no circumstances shall any use, activity and/or Development adversely affect the capacity of the channels or Floodways or any watercourse, drainage ditch, or any other drainage facility or system.

(b) Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction, a permit from the U.S. Army Corps of Engineers or the Virginia Marine Resources Commission or the certification from the Virginia State Water Control Board may be necessary (a joint permit application is available from any one of these organizations). Further notification of the proposal shall be given to all affected adjacent jurisdictions, the Division of Soil and Water Conservation (Department of Conservation and Recreation), and the Federal Emergency Management Agency.

(c) All applications for the Development in the floodplain district and all Special Exceptions issued for the floodplain shall incorporate the following information:

- (1) For structures that have been elevated, the elevation of the Lowest Floor (including Basement).
- (2) For structures that have been floodproofed (nonresidential only), the elevations to which the structure has been floodproofed.
- (3) The elevation of the 100-year Flood.
- (4) Topographic information showing the existing and proposed ground elevations.

**Sec. 26-41. Floodway district.**

In the Floodway district, no Development, including fill or Substantial Improvements, shall be permitted except where the effect of such Development on flood heights is fully offset by accompanying improvements that shall have demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed Development will not result in any increase in the Base Flood Elevation.

If the above is satisfied, all New Construction and Substantial Improvements shall comply with the VA USBC and all applicable provisions of the General Standards Article of this Chapter and the Elevation and Construction Standards section and Subdivision Standards section in this Article.

The placement of Manufactured Homes is prohibited, except when replacing an existing Manufactured Home in an existing Manufactured Home park or subdivision. A replacement Manufactured Home may be placed on a lot in an existing Manufactured Home park or subdivision provided the anchoring, elevation, and encroachment standards are met.

**Sec. 26-42. Flood fringe and approximated floodplain districts.**

(a) In Zone AE, as designated and defined on the FIRM, until a regulatory Floodway is designated, no New Construction, Substantial Improvements, or other Development (including fill) shall be permitted, unless it is demonstrated that the cumulative effect of the proposed Development, when combined with all other existing and anticipated Development, will not increase the water surface elevation of the Base Flood more than one foot at any point within the town.

(b) In the flood fringe and approximated floodplain districts, the Development and/or use of land shall be permitted in accordance with the regulations of this article provided that all such uses, activities and/or Development shall be undertaken in strict compliance with the Floodproofing and related provisions contained in the Virginia Uniform Statewide Building Code, the General Standards Article of this Chapter and the Elevation and Construction Standards section and Subdivision Standards section in this Article, and all other applicable codes and ordinances.

(c) Within the approximated floodplain areas, the applicant shall also delineate a Floodway area based on the requirement that all existing and future Development not increase the 100- year Flood elevation more than one foot at any one point. The engineering principle--equal reduction of conveyance--shall be used to make the determination of increased Flood heights.

(d) Within the Floodway area delineated by the applicant, the provisions of section 26-41 shall also apply.

**Sec. 26-43. Design criteria for utilities and facilities.**

(a) *Sanitary sewerage facilities.* All new or replaced sanitary sewerage facilities and private package sewage treatment plants (including all pumping stations and collector systems) shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into the floodwaters. In addition, they shall be located and constructed to minimize or eliminate flood damage and impairment.

(b) *Water facilities.* All new or replacement water facilities shall be designed to minimize or eliminate infiltration of floodwaters into the system and be located and constructed to minimize or eliminate flood damages.

(c) *Drainage facilities.* All storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. Systems shall ensure drainage away from buildings and on-site waste disposal sites. The Town Council may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.

(d) *Utilities.* All utilities, such as gas lines, electrical and telephone systems, being placed in floodprone areas shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flooding occurrence.

(e) *Streets and sidewalks.* Streets and sidewalks shall be designed to minimize their potential for increasing and aggravating the levels of Flood flow. Drainage openings shall be required to sufficiently discharge Flood flows without unduly increasing Flood heights.

**Sec. 26-44. Appeals and Special Exceptions; factors to be considered.**

(a) *Appeals.*

(1) Whenever any person is aggrieved by a decision of the Floodplain Administrator with respect to the provisions of this article, it is the right of that person to appeal to Town Council. Such appeal must be filed, in writing, within 30 days after the determination by the permit officer.

(2) Upon receipt of such an appeal, the Town Council shall set a time and place for the purpose of hearing the appeal, which shall be not less than ten nor more than 30 days from the date of the receipt of the appeal. Notice of the time and place of the hearing of the appeal shall be given to all parties, at which time they may appear and be heard. The determination by the Town Council shall be final in all cases.

(3) In ruling upon an appeal, the Town Council shall consider the criteria listed in subsection (c) of this section.

(b) *Special Exceptions.*

(1) The Special Exception provisions of this Chapter fulfill the regulatory mandate of 44 CFR 60.6.

(2) In passing upon applications for a Special Exception, the Town Council shall satisfy all relevant factors and procedures specified in other sections of this article and consider the factors listed in subsection (c) of this section.

(c) *Criteria for Appeals and Special Exceptions.* In considering an appeal or a request for a Special Exception, the Town Council shall consider the following factors:

(1) The danger to life and property due to increased Flood heights or velocities caused by encroachments. No Special Exception or appeal shall be granted for any proposed use, Development or activity within the Floodway district that will cause any increase in Flood levels during the Base Flood.

(2) The danger that materials may be swept on to other lands or downstream to the injury of others.

(3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.

(4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.

(5) The importance of the services provided by the proposed facility to the town.

(6) The requirements of the facility for a waterfront location.

(7) The availability of alternative locations not subject to flooding for the proposed use.

(8) The compatibility of the proposed use with existing Development and Development anticipated in the foreseeable future.

(9) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.

(10) The safety of access by ordinary and emergency vehicles to the property in time of Flood.

(11) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.

(12) The historic nature of a structure. Special Exceptions for repair or rehabilitation of Historic Structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a Historic Structure and the Special Exception is the minimum necessary to preserve the historic character and design of the structure.

(13) Such other factors relevant to the purposes of this article.

(d) The Town Council may refer any application and accompanying documentation pertaining to any request for a Special Exception or Appeal to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to Flood height and velocities, and the adequacy of the plans for the flood protection, and other related matters.

(e) Special Exceptions shall be issued and Appeals granted only upon (i) a showing of good and sufficient cause, (ii) after the Town Council has determined that failure to grant the Special Exception or Appeal would result in exceptional hardship to the applicant, and (iii) after the Town Council has determined that the granting of such will not result in unacceptable or prohibited increases in Flood heights, additional threats to public safety or extraordinary public expense, and will not create a nuisance, cause fraud or victimization of the public, or conflict with local laws or ordinances.

(f) While the granting of Special Exceptions generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a Special Exception increases. Special Exceptions may be issued by the Town Council for New Construction and Substantial Improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the Base Flood level, in conformance with the provisions of this section.

(g) Special Exceptions may be issued for New Construction and Substantial Improvements and for other Development necessary for the conduct of a functionally dependent use provided that the criteria of this section are met, and the structure or other Development is protected by methods that minimize flood damages during the Base Flood and create no additional threats to public safety.

(h) Special Exceptions shall be issued only after the Town Council has determined that the Special Exception will be the minimum required to provide relief from any hardship to the applicant.

(i) The Town Council shall notify the applicant for a Special Exception, in writing, that the issuance of a Special Exception to construct a structure below the 100-year Flood elevation increases the risks to life and property and will result in increased premium rates for flood insurance.

(j) A record of the notification required by subsection (g) of this section, as well as all Special Exception actions, including justification for their issuance, shall be maintained; and any Special Exceptions shall be noted in the annual or biennial report submitted to the Federal Emergency Management Agency.

#### **Sec. 26-45. Existing structures in floodplain districts.**

A structure or use of a structure or premises which lawfully existed before November 1994, but which is not in conformity with this article, may be continued subject to the following conditions:

- (1) Existing structures and/or uses located in the Floodway district shall not be expanded or enlarged unless the effect of the proposed expansion or enlargement on Flood heights is fully offset by accompanying improvements.
- (2) Any modifications, alteration, repair, reconstruction or improvement of any kind to a structure and/or use located in any floodplain district to an extent or amount of less than 50 percent of its market value shall conform to the Virginia Uniform Statewide Building Code and the appropriate provisions of this article.
- (3) The modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use, regardless of its location in a floodplain district, to an extent or amount of 50 percent or more of its market value shall be undertaken only in full compliance with this article, and the entire structure shall conform to the provisions of this Article and the Virginia Uniform Statewide Building Code.
- (4) Uses or their adjuncts that are or become nuisances shall not be permitted to continue.

(5) No building or structure shall be occupied/reoccupied after a natural disaster such as fire or flood without an inspection and approval for structural stability and livability by the Town Building Official.

### **ARTICLE III. GENERAL STANDARDS**

#### **Sec. 26-46 General standards.**

The following provisions shall apply to all permits:

(a) New Construction and Substantial Improvements shall be built according to this ordinance and the Virginia Uniform Statewide Building code, and anchored to prevent flotation, collapse or lateral movement of the structure.

(b) Manufactured Homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state anchoring requirements for resisting wind forces.

(c) New Construction and Substantial Improvements shall be constructed with materials and utility equipment resistant to Flood damage.

(d) New Construction or Substantial Improvements shall be constructed by methods and practices that minimize Flood damage.

(e) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(f) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of Flood waters into the system.

(g) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of Flood waters into the systems and discharges from the systems into Flood waters.

(h) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

(i) In addition to provisions A – H above, in all Special Flood Hazard Areas, the Flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

**Sec. 26-47 Elevation and construction standards.**

In all identified flood hazard areas where Base Flood Elevations have been provided in the FIS or generated by a certified professional in accordance with Section 26-36(c), the following provisions shall apply:

(a) Residential Construction

New Construction or Substantial Improvement of any residential structure (including Manufactured Homes) in Zones AE and A (as defined on the FIRM) with detailed Base Flood Elevations shall have the Lowest Floor, including Basement, elevated to or above the Base Flood level plus eighteen(18) inches.

(b) Non-Residential Construction

- (1) New Construction or Substantial Improvement of any commercial, industrial, or non-residential building (or Manufactured Home) shall have the Lowest Floor, including Basement, elevated to or above the Base Flood level, plus eighteen (18) inches.
- (2) Non-residential buildings located in all AE zones (as defined on the FIRM) may be flood-proofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus two feet are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, including the specific elevation (in relation to mean sea level) to which such structures are floodproofed, shall be maintained by the Floodplain Administrator.

(c) Space Below the Lowest Floor

In zones A and AE (as defined on the FIRM), fully enclosed areas, of New Construction or substantially improved structures, which are below the regulatory Flood protection elevation shall:

- (1) Not be designed or used for human habitation, but shall be used solely for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum

necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).

- (2) Be constructed entirely of Flood resistant materials below the regulatory Flood protection elevation;
- (3) Include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:
  - a. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.
  - b. The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.
  - c. If a building has more than one enclosed area, each area must have openings to allow Floodwaters to automatically enter and exit.
  - d. The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.
  - e. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
  - f. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

(d) Standards for Manufactured Homes and Recreational Vehicles

- (1) In zones A and AE (as defined on the FIRM), all Manufactured Homes placed, or substantially improved, on individual lots or parcels, must meet all the requirements for New Construction, including the elevation and anchoring requirements in the General Standards section, and the Elevation and Construction Standards section of this Article.

(2) All Recreational Vehicles placed on sites must either,

- a. Be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use (a Recreational Vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or
- b. Meet all the standards for Manufactured Homes in this Article.

**Sec. 26-48 Subdivision standards.**

Subdivision standards are set forth in the Subdivision Ordinance, Chapter 54, Section 54-168, Base Flood Elevation.

**Sec. 26-49 Severability.**

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable.

**Sec. 26-50 Penalty for violations.**

Any person who fails to comply with any of the requirements or provisions of this article or directions of the Floodplain Administrator or any authorized employee of the town shall be guilty of a Class 1 misdemeanor and subject to the penalties thereof.

The Virginia Uniform Statewide Building Code addresses building code violations and the associated penalties in Section 104 and Section 115.

In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time.

Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by the town to be a public nuisance and abatable as such.

**Sec. 26-51 Records.**

Records of actions associated with administering this ordinance shall be kept on file and maintained by or under the direction of the Floodplain Administrator.

**Section 26-52 Administration – designation of the Floodplain Administrator.**

The Town Manager is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:

- (a) Cause work to be performed as necessary to comply with the terms of this Chapter.
- (b) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.
- (c) Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

**Sec. 26-53 Duties and Responsibilities of the Floodplain Administrator**

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- (a) Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area.
- (b) Interpret floodplain boundaries and provide available Base Flood Elevation and flood hazard information.
- (c) Review applications to determine whether proposed activities will be reasonably safe from flooding and require New Construction and Substantial Improvements to meet the requirements of these regulations.
- (d) Review applications to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the BFE and SFHA of free-flowing non-tidal waters of the State.

- (e) Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE) and have submitted copies of such notifications to FEMA.
- (f) Approve applications and issue permits to develop in Flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.
- (g) Inspect or cause to be inspected, buildings, structures, and other Development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.
- (h) Review Elevation Certificates and require incomplete or deficient certificates to be corrected. Obtain the elevation of the Lowest Floor, including the Basement, of all new and substantially improved structures; and, if the structure has been flood-proofed in accordance with the requirements of this article, the elevation to which the structure has been flood-proofed.
- (i) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for the town, within six months after such data and information becomes available if the analyses indicate changes in Base Flood Elevations.
- (j) Maintain and permanently keep records that are necessary for the administration of these regulations, including:
  - (1) Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps) and Letters of Map Revision; and
  - (2) Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, inspection records, other required design certifications, Special Exceptions, and records of enforcement actions taken to correct violations of these regulations.
- (k) Enforce the provisions of these regulations, investigate violations, issue notices of violations, request the Building Official to issue stop work orders, and require permit holders to take corrective action.

- (l) Advise the Town Council regarding the intent of these regulations and, for each application for a Special Exception, prepare a staff report and recommendation.
- (m) Administer the requirements related to proposed work on existing buildings:
  - (1) Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.
  - (2) Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct. Prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.
- (n) Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with Substantial Damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in Special Flood Hazard Areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.
- (o) Notify the Federal Emergency Management Agency when the corporate boundaries of the town have been modified and:
  - (1) Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and
  - (2) If the FIRM for any annexed area includes Special Flood Hazard Areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

- (p) Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for Development in the SFHA, and number of Special Exceptions issued for Development in the SFHA.
- (q) It is the duty of the Floodplain Administrator to take into account Flood, mudslide and Flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the town, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

**Sec. 26-54 Use and interpretation of FIRMs.**

The Floodplain Administrator shall make interpretations, where needed, as to the exact location of Special Flood Hazard Areas, floodplain boundaries, and Floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

- (a) Where field surveyed topography indicates that adjacent ground elevations:
  - (1) Are below the Base Flood Elevation, even in areas not delineated as a Special Flood Hazard Area on a FIRM, the area shall be considered as Special Flood Hazard Area and subject to the requirements of these regulations;
  - (2) Are above the Base Flood Elevation, the area shall be regulated as Special Flood Hazard Area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.
- (b) In FEMA-identified Special Flood Hazard Areas where Base Flood Elevation and Floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.
- (c) Base Flood Elevations and designated Floodway boundaries on FIRMs and in FISs shall take precedence over Base Flood Elevations and Floodway boundaries by any other sources if such sources show reduced Floodway widths and/or lower Base Flood Elevations.
- (d) Other sources of data shall be reasonably used if such sources show increased Base Flood Elevations and/or larger Floodway areas than are shown on FIRMs and in FISs.
- (e) If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:

- (1) Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.
- (2) Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Section 26-36(c) and used where no Base Flood Elevations and/or Floodway areas are provided on the effective FIRM.
- (3) Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary Base Flood Elevations or Floodway areas exceed the Base Flood Elevations and/or designated Floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

**Sec. 26-55 Jurisdictional boundary changes.**

Before the town boundary with Prince William or Fairfax County changes, the Town Council shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards. If the FIRM for any added area includes Special Flood Hazard Areas that have flood zones that have regulatory requirements that are not set forth in these regulations, the Floodplain Administrator shall prepare amendments to this ordinance to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of boundary change and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22 (a) (9) (v) the town will notify the Federal Insurance Administration and optionally the State Coordinating Office in writing whenever the boundaries of the town have been modified or the town has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

In order that all Flood Insurance Rate Maps accurately represent the town's boundaries, a copy of a map of the town suitable for reproduction, clearly delineating the new corporate limits or new area for which the town has assumed or relinquished floodplain management regulatory authority shall be included with the notification.

**Sec. 26-56 Submitting model backed technical data.**

The town's Base Flood Elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the town shall notify the Federal Emergency Management

Agency of the changes by submitting technical or scientific data. The town may submit data via a LOMR. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.

### **Sec. 26-57 Letters of Map Revision.**

When Development in the floodplain will cause or causes a change in the Base Flood Elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.

Example cases:

- Any Development that causes a rise in the Base Flood Elevations within the Floodway.
- Any Development occurring in Zones A1-30 and AE (as defined on the FIRM) without a designated Floodway, which will cause a rise of more than one foot in the Base Flood Elevation.
- Alteration or relocation of a stream (including but not limited to installing culverts and bridges) 44 Code of Federal Regulations §65.3 and §65.6(a)(12)

### **Sec. 54-1 Definitions.**

*Base Flood* means a flood that has a one percent chance of being equaled or exceeded in any given year. Also referred to as the 100-year flood.

*Base Flood Elevation (BFE)* means the water surface elevation of the Base Flood in relation to the datum specified on the Flood Insurance Study and Flood Insurance Rate Map.

### **Sec. 54-168. Flooding.**

(a) All subdivision proposals shall be consistent with the need to minimize flood damage;

(b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and

(d) In areas where a Base Flood Elevation has not been previously established, Base Flood Elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance Study for subdivision proposals and other proposed development proposals

(including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

(e) Land in the 100-year floodplain, other land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for such other uses in such a way as to endanger health, life or property, or aggravate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall neither be endangered by periodic or occasional inundation, nor produce conditions contrary to public welfare.

2. That this ordinance is effective upon passage.

**Date:** \_\_\_\_\_  
**Regular Meeting**  
**Ord. No. O-2016-##**

**MOTION:**

**SECOND:**

**RE:**

**ACTION:**

**VOTES:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY**

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**Kirstyn Jovanovich, Town Manager/Acting Town Clerk**

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**NOTICE OF PUBLIC HEARING AND INTENTION TO REMOVE THE FLOODPLAIN PROVISIONS FROM THE ZONING CHAPTER OF THE TOWN OF HAYMARKET CODE AND ADOPTING UPDATED FLOODPLAIN PROVISIONS IN THE WATERWAYS CHAPTER OF TOWN CODE**

**KINDLY TAKE NOTICE** that the Town Council of Haymarket, Virginia will hold a public hearing on the 1st day of February 2016 beginning at 7:00 p.m. local time at the Town Hall of Haymarket, 15000 Washington Street, #100, Haymarket, Virginia 20169, for the purposes of considering repeal of Article XV, Flood Plain Districts, Chapter 58 of the Zoning Ordinance. The proposed repealed sections are as follows:

Chapter 58 ZONING: Article XV: Flood Plain Districts, Sections 58-596 through 58-655.

The Town proposes to adopt a new Article III in Chapter 54, Waterways, of the Town Code to update the flood control provisions mandated by FEMA regulations and authorized by state law. A complete copy of the proposed ordinance to repeal Article XV of Chapter 58 is available for public inspection during normal business hours at the Clerk's Office of the Town of Haymarket, 15000 Washington Street, Suite 100, Haymarket, Virginia 20169 immediately upon the advertising of this notice. (The proposed Article III of Chapter 54, not being a zoning provision, does not require public hearing or Planning Commission review, but will be available before council consideration.) All are invited to attend the public hearing at the time and place aforesaid and present their views. The hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility to the facility should contact the Town Clerk at the above address or by telephone at (703) 753-2600.

TOWN COUNCIL TOWN OF HAYMARKET, VIRGINIA

1/22 & 1/29/16

**NOTICE OF JOINT PUBLIC HEARING OF THE TOWN COUNCIL AND PLANNING COMMISSION  
TOWN HALL - 314 MILL STREET  
TOWN OF OCCOQUAN**

**FEBRUARY 2, 2016 – 7:00 PM**

Notice is hereby given that the Occoquan Town Planning Commission and the Town Council will conduct a Public Hearing on the following item:

An ordinance to update the Floodplain Management ordinance, Article II of Chapter 26 (Floods) of the Town Code, consisting of §§ 26-31 through 26-45, to add in Chapter 26 a new Article III, General Standards, consisting of §§ 26-46 through 26-57, and to amend related Subdivision ordinances, Town Code §§ 54-1, Definitions, and 54-168, Flooding, generally relating to Floodplain Protection.

The draft amendment to be adopted by the Town Council of the Town of Occoquan is available for review in Town Hall, 314 Mill Street, Occoquan, Virginia 22125 and online at [www.occoquanva.gov](http://www.occoquanva.gov).

This hearing is being held at the Occoquan Town Hall, located at 314 Mill Street, Occoquan, Virginia 22125. The location of this public hearing is believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility should contact the Town Clerk at the above address or by telephone at (703) 491-1918 x 1. Persons needing interpreter services for the hearing impaired and/or vision impaired should notify the Town Clerk no later than one week prior to the hearing.

**The Council of the Town of Occoquan, Virginia**

1/22 & 1/29/16

**Community Classifieds**

**Firewood For Sale**

**SEASONAL FIREWOOD:**  
1 cord - \$195.00  
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**703-357-2180**

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**Furniture:** all from non-smoking, pet-free home. Reasonable offers. Some antiques. Guard. Serv. N. Arlington, VA.  
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**Miscellaneous**

**ANNOUNCEMENTS**

**Private Home has vacancy for adult ambulatory individuals.** 24/7 supervision, private rooms, competitive rates, references available upon request. Call **540-234-0917** for more information.

**AUCTIONS**

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**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>12. Regular Items</b>	<b>Meeting Date:</b> February 2, 2016
<b>12 A. Request to Approve Floodplain Management Ordinance and Associated Subdivision Amendments</b>	

**Explanation and Summary:**

See documentation under Public Hearing Item 11A.

**Engineer's Recommendation:** Recommend approval.

**Town Attorney's Recommendation:** Recommend approval.

**Town Manager's Recommendation:** Recommend approval.

**Proposed/Suggested Motion:**

"I move to approve the revised Floodplain Management Ordinance and associated subdivision Amendments."

OR

Other action Council deems appropriate.

**Attachments: None.**



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>12. Regular Items</b>	<b>Meeting Date:</b> February 2, 2016
<b>12 B:</b> Request to Award Contract for Construction of Phase II of the River Mill Park Project	

**Explanation and Summary:**

This is a request to award a contract for the construction of Phase II of the River Mill Park Project, which includes an event pavilion, lighting inside the park, completion of the stone-dust looped trail and landscaping. The Engineering Group competitively bid the project and sought bids from twelve general contractors, and received responses from five firms. Two firms were shortlisted, and after value engineering, Dominion Construction Group was the lowest, responsible bidder, with a total project cost of \$288,590. The alternate firm, Hubert Construction, provided a bid in the amount of \$295,996.

In order to reduce project costs, the scope of the original bid was reduced. The costs above include the value engineering, which include deletion of asphalt stamping, bonding, mill and overlay, and the use of an alternate shade manufacturer.

**Engineer's Recommendation:** Recommend approval.

**Town Attorney's Recommendation:** Recommend approval.

**Town Manager's Recommendation:** Recommend approval.

**Cost and Financing:** \$288,590  
**Account Number:** CIP/PWC CIP Funding

**Proposed/Suggested Motion:**

"I move to award a contract in the amount of \$288,590 to Dominion Construction Group, contingent on receipt of funding or reduction in project scope. I further move to authorize the Mayor to sign all associated agreements, contracts and other documentation related to the construction of the project."

OR

Other action Council deems appropriate.

**Attachments: (1)** River Mill Park Projected Total Budget

# Town of Occoquan

## River Mill Park Phase 1 & 2

### Budget Summary

Category	Vendor	Contract or Committed Amount
<b>Soft Costs:</b>		
	<i>Legal: Vanderpool, Frostick &amp; Nishanian, P.C. (Estimate)</i>	\$ 10,000.00
	<i>Engineering Review: Legacy Engineering (Estimate)</i>	\$ 15,000.00
	Plan Review: Demolition & Restoration Plan (TEG)	\$ 16,825.00
	Civil Engineering Design Ph 1: The Engineering Groupe (TEG)	\$ 45,703.60
	Civil Engineering Design Ph 2: The Engineering Groupe (TEG)	\$ 36,600.00
	Architectural: Morgan Gick (Subconsultant to TEG)	\$ 44,000.00
	Structural: Woods • Peacock (Subconsultant to TEG)	\$ 16,430.00
	Lighting/Photometric: SAI (Subconsultant to TEG)	\$ 2,875.00
	Geotechnical: GC&T (Subconsultant to TEG)	\$ 26,731.00
	Construction Administration: The Engineering Groupe Phase 1	\$ 35,400.00
	Construction Administration: The Engineering Groupe, Phase 2 (Proposed)	\$ 14,000.00
<b>Soft Cost Subtotal</b>		<b>\$ 263,564.60</b>

#### Hard Costs:

	Phase 1 GC: Miller Brothers	\$ 735,763.41
	Utilities: Verizon (Temp Pole)	\$ 2,390.78
	Utilities: Cox Communication (Temp Pole)	\$ 1,000.00
	Fairfax Water: Trail Reimbursement (see Permitting & Utilities tab)	\$ 23,707.40
	<i>Owner: Equipment (Estimate)</i>	\$ 10,000.00
<b>Hard Cost Subtotal</b>		<b>\$ 772,861.59</b>

#### Permit Fees & Utility Relocation

	Permitting	\$66,159.00
	Relo	\$ 34,077.53
<b>Permit Fees &amp; Utility Relocation Subtotal</b>		<b>\$100,236.53</b>

**River Mill Park Park Contract Totals \$ 1,136,662.72**

**Prince William County Reimbursement Budget \$ 1,330,000.00**

**Remaining for Phase 2 Construction \$ 193,337.28**

*Note: Figures based on estimates have been italicized for emphasis*