



**TOWN OF OCCOQUAN**  
Circa 1734 • Chartered 1804 • Incorporated 1874

314 Mill Street  
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Occoquan, VA 22125  
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**Occoquan Town Council**  
**Regular Meeting**  
**March 5, 2019 | 7:00 p.m.**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **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'.
4. **Approval of Minutes**
  - a. **February 5, 2019 Regular Meeting Minutes**
  - b. **February 19, 2019 Work Session Meeting Minutes**
5. **Mayor's Report**
6. **Councilmember Reports**
7. **Staff Reports**
  - a. Town Attorney
  - b. Town Engineer
  - c. Building Official
  - d. Town Manager
  - e. Town Treasurer
  - f. Chief of Police
  - g. Boards and Commissions
8. **Regular Business**
  - a. Zoning Code Amendments: Home Occupation Certificate Section 157.010

**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).*

- b. Zoning Code Amendments: Special Use Permit-Section 157.123 (Setback Regulations) and Section 157.124 (Height Regulations)
- c. Request to Appoint Business Owner Member to Architectural Review Board
- d. Request to Appoint Member to Planning Commission

**9. Closed Session**

**10. Adjournment**



OCCOQUAN TOWN COUNCIL  
Regular Meeting Minutes- DRAFT  
Town Hall – 314 Mill Street, Occoquan, VA 22125  
Tuesday, February 5, 2019  
7:00 p.m.

**Present:** Mayor Earnie Porta, Vice Mayor Pat Sivigny, Councilmembers Matthew Dawson, Cindy Fithian, Laurie Holloway, and Eliot Perkins.

**Staff:** Kathleen Leidich, Town Manager; Christopher Coon, Town Clerk; Martin Crim, Town Attorney; Bruce Reese, Town Engineer; Adam Linn, Chief of Police; Julie Little, Events and Community Development Director

**1. Call to Order**

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

**2. Citizens Time**

None.

**3. Mayor Porta asked for unanimous consent to move item 7F and 8F up on the agenda; no Council objection.**

**7F. Chief of Police:**

Chief Linn submitted a report as part of the meeting agenda. No questions received.

**8F. Request to Adopt Resolution Related to Lease Purchase for Police Vehicles**

Councilmember Perkins moved to reopen discussion of the lease purchase of a police vehicle.

**A motion was made by Councilmember Perkins, seconded by Councilmember Holloway. Motion passed, unanimous by voice vote.**

Councilmember Fithian moved to approve the lease agreement of police vehicles.

**A motion was made by Councilmember Fithian, seconded by Councilmember Perkins.**

Councilmember Perkins moved to offer a substitute motion to adopt the Resolution related to the lease purchase agreement and any other future required documentation to complete the purchase of the two 2019 Ford Police utility vehicles.

**A motion was made by Councilmember Perkins, seconded by Councilmember Fithian. Motion passed, unanimous by voice vote.**

Councilmember Perkins moved to adopt the Resolution related to the lease purchase agreement and any other future required documentation to complete the purchase of the two 2019 Ford Police utility vehicles.

**A motion was made by Councilmember Perkins, seconded by Councilmember Holloway. Result of roll call vote: Ayes: Councilmember Perkins, Holloway, and Fithian. Nays: Councilmember Dawson and Vice Mayor Sivigny. Motion passed 3 - 2.**

#### **4. Approval of Minutes**

Vice Mayor Sivigny moved to approve the minutes of January 2, 2019 Regular Meeting, as amended.

**A motion was made by Vice Mayor Sivigny, seconded by Councilmember Perkins that the amended minutes of January 2, 2019 be approved. Motion passed, unanimous.**

Vice Mayor Sivigny moved to approve the minutes of January 15, 2019 Work Session Meeting, as amended.

**A motion was made by Vice Mayor Sivigny, seconded by Councilmember Perkins that the amended minutes of January 15, 2019 be approved. Motion passed, unanimous.**

#### **5. Mayor's Report**

Mayor Porta reported he met with Imagine about the Town website and attended a VFW ceremony where awards were provided for an essay and a video speech.

#### **6. Councilmember Reports**

Councilmember Perkins reported he will be working with Heather Hill Nursery to help layout landscape plans for the town for free. He wanted to discuss the possibility of purchasing video equipment later during the meeting.

Councilmember Holloway reported she would be out of Town on business during the Budget Work Session and she sent an email to Town Council about the Town Budget.

Town Council gave the directive to Town Staff to produce a budget with no increase in tax rate and then one that staff recommends.

Mayor Porta wanted to thank Mr. Seiberling for reviewing the recodification of the Town Code. He stated that Mr. Seiberling had some questions from his review. His first question concerned the outdated nature of some items in the Town Charter. Mayor Porta noted that this issue has come up in the past and asked Mr. Crim to explain how the Town Charter and Town Code differ when it comes to the processing of updating the former.. Mr. Crim explained that Town charters often contain outdated items that nevertheless are retained for their historical value. Additionally, he noted that the process for updating the Town Charter is quite cumbersome and requires action by the Virginia General Assembly.

#### **7. Staff Reports**

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

- i. **Miller Brothers** - Completed the installation of the heaters at River Mill Park; the related building violations are being taken care of by Town Staff.
- ii. **Kiely Court** - Working with Town Staff regarding the erosion and sediment control and ice problems.

- iii. **Zoning Text Amendment** – Comments have been sent to Town Staff for minor edits before the final adoption.
- iv. **Draft Registration Ordinance for Short-term Rentals** – Working with the Town Manager to present a Registration Ordinance to be presented to Town Council for their consideration.

Councilmember Perkins inquired about what the Town can do with regard to the continued mud and water coming off of Kiley Court. Ms. Leidich stated she has been working with the Engineering Group about the ice, the erosion of sediment, and ensuring the street is cleaned daily in accordance with the relevant permit. When appropriate, citations have been sent to the developer for the ice on the sidewalk and sediment in the street.

Councilmember Holloway inquired what process is there to ensure the cleaning continues. Ms. Leidich indicated that the Zoning Inspector comes twice a month and within 24 hours of a rain event.

Mayor Porta wanted to articulate that a citation is a zoning violation. Ms. Leidich also stated when someone receives a zoning violation, they need to correct the violation in a specified amount of time or the Town will have a contractor do the work and charge the person who was in violation. She also indicated that the developer has been responsive and hopes that the Town can get this matter under control shortly.

Councilmember Fithian inquired what the developer is responsible for regarding cleaning snow, ice, or sediment on a daily basis. Ms. Leidich indicated that the developer needs to clean the sediment off the street on a daily basis.

Mr. Reese stated that there is a process that is followed from an erosion and sediment control regulatory standpoint. Virginia State Regulations dictate what enforcement actions the Town is able to take and in what order. He stated that he agrees with the Town Manager that we need more time to work with the developer to resolve this issue and keep the street clean.

**B. Town Engineer:** Mr. Reese submitted a report as part of the meeting agenda.

Mayor Porta inquired about the Infiltration Trench and noted that Town Staff was going to reach out to the landscape contractors for a quote. Mr. Coon indicated we do not have a quote at this time.

Councilmember Perkins inquired about the Canoe and Kayak Ramp and how often we are contacting the Department of Conservation and Recreation, DCR, for the additional funds. Mayor Porta stated that even if the Town would have received the funds we are in the period of the year that the Town can not engage in construction due to various environmental regulations.

Councilmember Perkins inquired about the amount of time the Town would need from the time funds were received until construction could start. Mr. Reese stated that it could be done quickly if the bids for construction were still valid. Mayor Porta also indicated that in this matter we do not have the option to press the DCR for the funds.

Councilmember Perkins inquired about the reason the Town needs to wait for the additional funds. Mr. Reese indicate he did not have a clear understanding as to why the money has not been released. He stated that it could have been allocated to other projects and the DCR needs to receive the money back from localities that are unable to use the funds. Mayor Porta indicated that based on his conversations with DCR they were de-obligating money from multiple projects to fund the Town's shortfall.

Councilmember Perkins inquired about how often the Town is communicating with DCR. Ms. Leidich stated that she has tried to reach out several times but has not made contact. Mr. Reese stated that he has spoken with DCR and stated that they are difficult to contact, but they are interested in getting this project completed.

**8. Mayor Porta asked for unanimous consent to move item 8C and 8D up on the agenda; no Council objection.**

**8C. Request to Adopt Resolution to Initiate Zoning Text Amendment: Home Occupation Certificate Section 157.010**

Motion was combined with item 8D.

**8D. Request to Adopt Resolution to Initiate Zoning Text Amendments: Special Use Permit Section 157.123 (Setback Regulations) and Section 157.124 (Height Regulations)**

Councilmember Fithian moved to adopt the resolution to Initiate Zoning Text Amendments for Revision to Chapter 157 of the Town Code to Modify the Standards Governing Home Occupations and to Permit Increases in the Maximum Height and Decreases in the Minimum Setback by Special Use Permit in the B-1 Zoning District. This resolution sends all of these items to the Planning Commission for a recommendation and a Joint Public Hearing.

**A motion was made by Councilmember Fithian, seconded by Councilmember Perkins. Result of roll call vote: Ayes: Councilmember Perkins, Holloway, Fithian, Dawson, and Vice Mayor Sivigny. Nays: None. Motion passed unanimous.**

**C. Building Official:** The Building Official's report was submitted as part of the meeting agenda. No questions were received.

**D. Town Manager:** Ms. Leidich submitted her report to Council at the dais. The report included an update on the website redevelopment and the new Occoquan Town Logo. She also reported the River Mill Park bath house had the heaters installed and passed the building code inspection. She stated that winter hours of operation for the bath house will be from 8 a.m. to 8 p.m. Monday through Friday and closed Saturdays and Sundays except for special events. Ms. Leidich indicated that town staff has found a platform to

utilize group text messages. Town staff is going to begin compiling cell phone numbers via an opt-in process for this purpose and the alerts are going to be called OCQ Alerts. She also reported that the town will begin a sidewalk repair program that will have town staff marking broken bricks in the winter and the maintenance supervisor will repair them in the spring or as soon as possible.

Councilmember Fithian inquired about the River Mill Park bath house being closed during the week. Mr. Coon stated that this is the first winter that the bath house will be open and the schedule is to ensure we do not have pipes freeze over the weekend while staff is not able to correct the problem.

Mayor Porta inquired about who will be able to sign up for the OCQ Alerts. Ms. Leidich indicated that it will be for residents, business owners, and patrons.

Councilmember Holloway inquired about the reasoning to make OCQ Alerts an opt-in program opposed to an opt-out one. Mayor Porta indicated that we do not have the data to be able to make this an opt-out program. Mr. Coon stated that while the Town does have phone numbers from residents, many of them could also be home phone numbers. You pay for each message sent which could cost a significant amount to send something that no one would receive. Mr. Coon indicated that the town's plan for receiving information for the OCQ alerts is going to combine several items in one saturation mailer that will be sent to every Post Office Box in Town. The mailer will ask if they want to participate in emergency alerts through text messages or email, event notifications through text messages or email, and finally if they would like to continue to receive hardcopies of the Town Newsletter.

Councilmember Fithian inquired about how to contact the Town Maintenance Supervisor. Mayor Porta indicated that all requests or contact attempts should go through the Town Manager.

Vice Mayor Sivigny inquired if we can reach out to Washington Gas to allow the VFW to get their trash collected. Ms. Leidich stated it won't be a problem to get that done.

Mayor Porta inquired about getting the intersection of Mill Street and Washington Street cleared of the mud that has built up next to the sidewalk. Councilmember Perkins also indicated that some clean-up needs to occur around the Town Annex. Mayor Porta also asked Ms. Leidich to discuss a regular review process for the Maintenance Supervisor.

**9. Mayor Porta asked for Unanimous Consent to move item 8E and 8H up on the agenda; no Council objection**

**8E. Request to Approve Town Code Amendment: Use of Streets (Section 111.42)**

Councilmember Holloway moved to adopt Ordinance O2019-04.

**A motion was made by Councilmember Holloway, seconded by Councilmember Dawson. Result of roll call vote: Ayes: Councilmember Perkins, Holloway, Fithian, Dawson, and Vice Mayor Sivigny. Nays: None. Motion passed unanimous.**

Councilmember Dawson moved to name the Town Manager and Events and Community Development Director as the Town Council designees for matter involving Use of Streets.

**A motion was made by Councilmember Dawson, seconded by Councilmember Fithian. Motion passed, unanimous by voice vote.**

**8H. Request to Adopt Ordinance to Update Town Code (Section 71.02)**

Vice Mayor Sivigny moved to adopt Ordinance O2019-03.

**A motion was made by Vice Mayor Sivigny, seconded by Councilmember Holloway. Result of roll call vote: Ayes: Councilmember Perkins, Holloway, Fithian, Dawson, and Vice Mayor Sivigny. Nays: None. Motion passed unanimous.**

**E. Town Treasurer:** Ms. Rodriguez submitted the Treasurer's report as part of the meeting agenda.

Councilmember Perkins asked to have the FY 2018 Actual amounts to be included in the Treasurer reports.

Mayor Porta inquired if the money for the intersection has already been spent or if it is only allocated for the intersection project. Mr. Coon indicated that the funds have been paid to Prince William County to move forward on the intersection projects.

Mayor Porta inquired about the Bricks Money Market Account and where the funds are allocated. Town Staff will have to provide that answer at a later date.

**G. Events and Community Development Director:** Ms. Little submitted the Events and Community Development Director report as part of the meeting agenda. She also inquired about using funds allocated for movies to purchase equipment. She indicated that if the Town purchased the equipment, the money saved renting the equipment would cover the cost after only one year.

Mayor Porta inquired about who would be responsible for the movie equipment. Ms. Little indicated she would be responsible.

Councilmember Perkins moved to set a not-to-exceed amount for \$2,500 to purchase movie equipment.

**A motion was made by Councilmember Perkins, seconded by Councilmember Fithian. Motion passed, unanimous by voice vote.**

**H. Boards and Commissions:** Councilmember Perkins reported that the Planning Commission has been working on specific areas. Also, Jenn Mathis is about to complete the Certified Planning Commissioner Training. He indicated that there is a high likelihood there will be another member of the Planning Commission by the next Regular Meeting.

Councilmember Holloway inquired about the next steps for the Parking Recommendations. Councilmember Perkins indicated that he would like any resident or business owners with questions to contact himself or Town Staff. He also indicated that Planning Commission is currently discussing how to implement the recommended timed parking. The Town Clerk had sent out a letter to the Occoquan Merchants Guild asking for feedback and opinions and a survey as also been sent to the Business Community for them to complete and return to Town. That information will be utilized to help guide future discussion.

Chairperson Seefeldt had no report. There was no Architectural Review Board Meeting in December.

## 10. Regular Business

### **A. Bags to Benches Program**

Ms. Leidich indicated that Patriot Scuba will be collecting plastic to try and provide a bench for Town. The goal is to collect 500 pounds of plastic to have a bench made. Town Council wanted to thank Mr. and Mrs. Curren for their support to the Town and the environment.

### **B. Request to Adopt Town Logo and Brand Guidelines**

Councilmember Holloway moved to adopt the Town Logo identified in the Brand Guidelines (January 2019) and also to adopt the Brand Guidelines (January 2019) to govern the use of the Town Logo.

**A motion was made by Councilmember Holloway, seconded by Councilmember Fithian. Motion passed, unanimous by voice vote.**

### **G. Request to Remove Overgrowth Between Commerce Street and Poplar Alley**

Councilmember Perkins moved to set a not-to-exceed amount of \$1,660 for the removal of overgrowth between Commerce Street and Poplar Alley

**A motion was made by Councilmember Perkins, seconded by Councilmember Holloway. Motion passed, unanimous by voice vote.**

## 9. Adjournment

The meeting was adjourned at 9:12 p.m.

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Christopher Coon  
Town Clerk



**OCCOQUAN TOWN COUNCIL**  
**Work Session Meeting Minutes- DRAFT**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, February 19, 2019**  
**7:00 p.m.**

**Present:** Mayor Earnie Porta, Vice Mayor Pat Sivigny, Councilmembers Matthew Dawson, Cindy Fithian, and Eliot Perkins.

**Absent:** Councilmember Laurie Holloway

**Staff:** Kathleen Leidich, Town Manager, Christopher Coon, Town Clerk; Adam Linn, Chief of Police; Carla Rodriguez Town Treasurer; Julie Little, Community and Events Director.

**1. Call to Order**

Mayor Porta called the meeting to order at 7:04 p.m.

**2. Mayor Porta asked for unanimous consent to move item 2C up on the agenda; no Council objection.**

**2C. Request to Approve Annex Roof Repair Contract**

Councilmember Perkins moved to contract with Ebenezer Roofing for partial roof repair and installation of new shingles at the Town Annex Building for a cost of \$4,060.00 and authorize the Mayor to sign.

**A motion was made by Councilmember Perkins, seconded by Councilmember Fithian. Motion passed, unanimous by voice vote.**

**2A. Base Budget**

Ms. Leidich indicated that tonight no action will need to be taken by Town Council. She would like to receive feedback and guidance from Town Council on a couple of proposed items.

Ms. Leidich stated that based on staff request and necessary items the Base Budget Operating expenditures would equal \$829,891. She also reported that the Base Budget Operating revenues with no increases to tax rates would be \$805,571. She indicated that Town Staff would like Town Council's direction to either cut \$24,320 in expenditures or dictate how they would like to increase revenue.

Ms. Leidich also reported that within the Base Budget there would be some Organizational changes. She stated that Mr. Coon is now the Deputy Town Manager/Town Clerk and along with his Town Clerk duties he will serve as the operational lead for the Public Works Department to include creating and maintaining the department budget. Also, there will be an additional part-time position in public works that would be funded by moving funds out of overtime hours and hourly labor hours to fund the position with no increase in expenses. Ms. Leidich also stated that the Events and Community Development Director is working at least 30 hours per week rather than the budgeted 20 hours per week. After ample discussion it was decided that funding for the difference in hours should be funded out of the Craft Show account.

**2B. Town Council Priorities**

Ms. Leidich reported that the Town Council Priorities Budget focused on items that Council has articulated they wanted. She also stated that there are items that Town Staff felt were important but that there were several items that were left off of the list and provided independently for Town Council's guidance.

Ms. Leidich stated the Town Council Priorities Operating Budget expenditures currently equal \$842,391. She used the Base Budget Operating revenues with no increase to tax rates of \$805,571. She stated that she did not increase any tax rates to increase revenue because she wanted Town Council's guidance on covering the shortfall by cutting expenses or increasing revenues. She provided a report that illustrated that if the Town Council increases the Real Estate Tax rate from .12 to .14 per \$100 of assessment value, it would generate an estimated \$39,301. Also, if the Town Council increased the Meals Tax Rate from 3% to 4%, it would generate an estimated \$71,188. She noted that along with the \$842,391 she believed that there should be additional funding in the amount of \$19,301 for the Facility and Park Maintenance fund for repair and maintenance of public facilities. She also reported that the Town should begin to enhance the Capital Improvement Project Fund by \$35,594 .

Town Council requested that Town Staff prepare another Town Council Priorities Budget that includes all expenses Town Staff feels are appropriate. They also noted that any budgets submitted should be balanced, with revenues and expenses being equal. Last, they requested that the next budget presentation include a summary sheet of revenues and expenses for each fiscal year shown (including prior fiscal years) and the percentages changes from year to year.

**3. Adjournment**

The meeting was adjourned at 10:28 p.m.

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Christopher Coon  
Town Clerk



# TOWN OF OCCOQUAN

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**TOWN COUNCIL**  
Earnie W. Porta, Jr., Mayor  
Patrick A. Sivigny, Vice Mayor  
J. Matthew Dawson  
Cindy Fithian  
Laurie Holloway  
Eliot Perkins

**TOWN MANAGER**  
Kathleen R. Leidich, AICP

## **Town Engineer's Report Town Council Meeting –March 5, 2019**

### **Kayak/Canoe Launch – update from last report**

Two bids received in July 2017 (Delta Marine and McLean Endeavors), both over budget. Department of Conservation and Recreation (DCR) has indicated possible additional funding from the current \$100,000 to \$283,650. Updates to permits, historic resources, threatened and endangered species discussed. Both bidders confirmed that previous bids are still valid. New budget forwarded to DCR on October 12, 2018. New contact person at DCR (Jett Johnson). Town Manager has reached out for status update.

### **River Mill Park – Moisture Issue in Storage Room –no change from last report**

New heaters installed. The Engineering Group reviewed dry well sizing. PWC will conduct inspection with Town to address any remaining deficiencies.

### **Kiely Court Project – update from last report**

Land Disturbance Permit issued - construction commenced. Stop work order rescinded by PWC for retaining wall safety issues. Verbal and written notices provided to owner regarding mud being tracked onto Mill Street – new construction entrance installed. Further tracking of mud may require additional measures. Ice on sidewalk to be addressed by Zoning Administrator through section 93.05 of Town Code. Building permit application have been submitted for both houses.

### **Rivertown Project – no change from last report**

Land Disturbance Permit issued – construction proceeding.

### **Vantage Point BMP maintenance – no change from last report**

Bid received from Total Development Solutions (\$38,730)

### **Boundary Branch – no change from last report**

Boundary Branch, Vantage Point BMP, Lynn property – other runoff issues reviewed

### **Tanyard Hill Park (Oaks III) – no change from last report**

PWC considering sidewalk along Tanyard Hill Road to connect Occoquan Greenway (trail coming through Tanyard Hill Park) to sidewalk on Ellicott Street.

Approved by PWC BOS 5/15/18 with revised proffers

- Use as park and open space – trails and Stormwater Pond shown on GDP
- Plat vacating lot line when site plan needed - NRA to review first
- Access to potential parking lot for trail head allowed off Tanyard Hill
- Reserve ROW along Tanyard Hill and Old Bridge Roads
- Use LID as part of any development
- Pay \$75 per acre zoned (4.229 acres)

### **Mill at Occoquan – no change from last report**

Staff report for Preliminary Site Plan issued on 1/14/19.

Code amendment required for setback and height.

-END-

## Town of Occoquan - Permit Report

February 2019

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Valuation
BLD2019-03820	206 COMMERCE ST	ANTENNA MOUNTED TO PO	Building	Pending	C - Alteration/Repair		\$16,000.00
ELE2019-01557	307 COMMERCE ST	RELOCATING PANEL & ADDI	Electrical	Issued	R - Alteration/Repair	10/19/2018	\$4,500.00
BLD2019-00547	402 FORTRESS WAY	KITCHEN RENOVATION TO CC	Building	Issued	C - Alteration/Repair	07/30/2018	\$16,000.00
GAS2019-00432	270 GASLIGHT LANDI	ALTERATION/REPAIRS TO REI	Gas	Issued	C - Alteration/Repair	09/20/2018	\$4,751.00
BLD2018-04471	313 MILL ST	PARTIAL ROOF REPAIR DUE T	Building	Issued	C - Alteration/Repair	02/23/2018	\$10,000.00
BLD2018-02969	426 MILL ST	LOT SPECIFIC SFD - KIELY RES	Building	Pending	R - New Single Family Dwelling		\$1.00
BLD2018-05964	426 MILL ST	RETAINING WALL	Building	Issued	R - Retaining Wall	10/09/2018	\$20,000.01
BLD2018-02984	430 MILL ST	KIELY RESIDENCE - LOT SPECI	Building	Pending	R - New Single Family Dwelling		\$100.00
BLD2018-05963	430 MILL ST	RETAINING WALL MAX HEIG	Building	Issued	R - Retaining Wall	10/09/2018	\$20,000.01
ELE2019-02544	458 MILL ST	REPLACING 2 ELECTRIC HEAT	Electrical	Finald	C - Alteration/Repair	01/16/2019	\$500.00
BLD2014-05879	1441 OCCOQUAN HEIC	DECK	Building	Issued	R - Addition	04/25/2014	\$6,700.00
BLD2019-02293	112 POPLAR LN	DETACHED GARAGE	Building	Issued	R - Accessory Structure	12/21/2018	\$16,000.00
BLD2019-02551	112 POPLAR LN	ENCLOSING CARPORT AND A	Building	Issued	R - Addition	12/21/2018	\$29,000.00
BLD2018-02753	113 POPLAR LN	36' x 18' INGROUND POOL	Building	Issued	R - Swimming Pool	12/07/2017	\$60,000.00
ELE2018-02286	113 POPLAR LN	36' x 18' INGROUND POOL	Electrical	Issued	R - Swimming Pool	12/07/2017	\$6,000.00
ELE2019-00599	113 POPLAR LN	Install circuits, fixtures, and recep	Electrical	Issued	R - Alteration/Repair	08/15/2018	\$2,200.00
GAS2018-01390	113 POPLAR LN	Gas Line to Pool Heater and Gas	Gas	Issued	R - Swimming Pool	01/16/2018	\$2,000.00
BLD2018-04392	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Building	Issued	R - New Townhouse	03/22/2018	\$45,000.00
GAS2019-00596	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Gas	Issued	R - New Townhouse	10/22/2018	\$1,000.00
MEC2019-01181	1551 RIVERTOWN PL	INSTALL NEW HVAC	Mechanical	Issued	R - New Townhouse	11/20/2018	\$5,500.00
PLB2019-00861	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Plumbing	Issued	R - New Townhouse	10/22/2018	\$10,000.00
BLD2018-04390	1552 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Building	Issued	R - New Townhouse	03/22/2018	\$45,000.00
GAS2019-00603	1552 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Gas	Issued	R - New Townhouse	10/22/2018	\$1,000.00
PLB2019-00870	1552 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Plumbing	Issued	R - New Townhouse	10/22/2018	\$10,000.00
BLD2018-04393	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Building	Issued	R - New Townhouse	03/22/2018	\$45,000.00
GAS2019-00598	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Gas	Issued	R - New Townhouse	10/22/2018	\$1,000.00
MEC2019-01193	1553 RIVERTOWN PL	INSTALL NEW HVAC SYSTEM	Mechanical	Issued	R - New Townhouse	11/21/2018	\$5,500.00
PLB2019-00864	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Plumbing	Issued	R - New Townhouse	10/22/2018	\$10,000.00
BLD2018-04376	1554 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Building	Issued	R - New Townhouse	03/22/2018	\$45,000.00
GAS2019-00601	1554 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Gas	Issued	R - New Townhouse	10/22/2018	\$1,000.00
PLB2019-00869	1554 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Plumbing	Issued	R - New Townhouse	10/22/2018	\$10,000.00
BLD2018-04394	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Building	Issued	R - New Townhouse	03/22/2018	\$45,000.00
GAS2019-00599	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Gas	Issued	R - New Townhouse	10/22/2018	\$1,000.00
MEC2019-01194	1555 RIVERTOWN PL	INSTALL NEW HVAC	Mechanical	Issued	R - New Townhouse	11/21/2018	\$5,500.00
PLB2019-00865	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Plumbing	Issued	R - New Townhouse	10/22/2018	\$10,000.00
BLD2018-04375	1556 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Building	Issued	R - New Townhouse	03/22/2018	\$45,000.00
GAS2019-00600	1556 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Gas	Issued	R - New Townhouse	10/22/2018	\$1,000.00
PLB2019-00867	1556 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - I	Plumbing	Issued	R - New Townhouse	10/22/2018	\$10,000.00
BLD2018-04008	199 UNION ST	UPDATE AND REPAIR BATHRC	Building	Issued	C - Alteration/Repair	01/31/2018	\$1,000.00
PLB2018-01862	199 UNION ST	INTERIOR RENOVATIONS TO I	Plumbing	Issued	C - Alteration/Repair	01/31/2018	\$4,000.00
BLD2019-00218	201 UNION ST	RESTURANT - TLO - NEW KITC	Building	Issued	C - Tenant Layout	10/25/2018	\$75,000.00
ELE2019-00426	201 UNION ST	RESTURANT - TLO - NEW KITC	Electrical	Pending	C - Tenant Layout		\$75,000.00
GAS2019-00113	201 UNION ST	RESTURANT - TLO - NEW KITC	Gas	Pending	C - Tenant Layout		\$75,000.00
MEC2019-00933	201 UNION ST	RESTURANT - TLO - NEW KITC	Mechanical	Pending	C - Tenant Layout		\$75,000.00
PLB2019-00145	201 UNION ST	RESTURANT - TLO - NEW KITC	Plumbing	Pending	C - Tenant Layout		\$75,000.00
PLB2018-02373	411 UNION ST	CONVERTING FROM SEPTIC T	Plumbing	Issued	R - Alteration/Repair	03/23/2018	\$15,000.00
BLD2019-00785	131 WASHINGTON ST	FINISH BASEMENT -*REVISED	Building	Issued	R - Alteration/Repair	08/13/2018	\$750.00
ELE2019-00643	131 WASHINGTON ST	FINISH BASEMENT -*REVISED	Electrical	Issued	R - Alteration/Repair	08/16/2018	\$500.00
PLB2019-00381	131 WASHINGTON ST	FINISH BASEMENT -*REVISED	Plumbing	Issued	R - Alteration/Repair	08/15/2018	\$750.00
BLD2019-00357	109 WASHINGTON SQ	ADDING SPIRAL STAIRCASE T	Building	Issued	R - Alteration/Repair	08/24/2018	\$5,000.00
PLB2018-01956	103 WEST LOCUST ST	Water Service	Plumbing	Issued	R - Alteration/Repair	02/08/2018	\$1,400.00

END OF REPORT



# TOWN OF OCCOQUAN

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Laurie Holloway  
Eliot Perkins

**TOWN MANAGER**  
Kathleen R. Leidich, AICP

## **Town Manager's Report Town Council Meeting - March 5, 2019**

### **Web site Redevelopment**

Town staff had a work session with the consultant on 1/30/19. Staff received an updated web site mock up, and will be reviewing the proposed revisions and working with the consultant to continue the redevelopment process. The Events and Community Development Director is currently collecting information from the Town businesses to be included on the web site. Next steps include completing the creative development and site programming portions of the project.

### **Home Occupation Regulations**

Based on the citizen input received at the 12/4/18 Council meeting, staff developed draft language for future Planning Commission and Council consideration. Staff reviewed this draft language with Council Member Fithian and the citizens, who spoke at the Council meeting, on 2/26/19. The resulting drafts of the ordinance will be considered during the Joint Public Hearing this evening.

### **River Mill Park Bath House**

The heaters have been installed and passed the required building code inspection. The builder has confirmed that they will be ordering the dry well, and will be completing its installation. Regarding the work to be completed in the lower level of the building, staff has been in contact with the Building Official and will be specifically confirming the required corrective work in the near future.

### **Mill at Occoquan Development Application**

Application is currently on hold. Further action will require amendments to the Town Code. Draft language of these amendments will be considered during the Joint Public Hearing this evening.

### **Visitor Center Kiosk**

Staff has contacted PWC staff to follow up on the Kiosk agreement and working with the Architectural Review Board in regards to the Kiosk design process. Town staff has confirmed that parking spaces will not be required for the Kiosk. Staff expects the MOU regarding the Kiosk and letter confirming that the Tourism sign will remain on Route 95 to be provided by Prince William County in the near future.

### **Tanyard Hill Park Sidewalk**

Town Staff met with PWC staff on 3/1/19 to determine the proposed location for the sidewalk.

**Meetings, Training, and Events**

- Community Work Session-Review of Home Occupation Code Changes, February 26
- Attended VDOT Meeting, February 28
- Met with PWC Park/Recreation Director, March 1
- Resident Meeting-Stormwater, March 15
- Budget Work Session-FY 2018 Audit Presentation, March 19
- Planning Commission/ARB, March 26
- Friends of the Occoquan Spring River Clean up, April 13
- Peep Show and Community Peep Contest, April 20

-End-



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 Laurie Holloway  
 Eliot Perkins

**TOWN MANAGER**  
 Kathleen R. Leidich

**TOWN TREASURER**  
 Carla M. Rodriguez

## Town Treasurer's Report Town Council Meeting - March 5, 2019

### Audits

Audit Type	Current Status	Last FY Audit Completed	Next Steps/Action
Meals Tax Audit	Pending (1)	None	Pink Bicycle Tea Room (Review Pending)
BPOL Audit	Pending (1)	2012 License Year	Fathom Realty (Review Pending)

### Delinquencies

Meals Tax Delinquencies			
Business Name	Length of Delinquency (months)	Date of Last Notice	Status of Compliance
Occoquan Inn/Virginia Grill	3	2/27/2018	Not compliant
Pink Bicycle Tea Room	11	2/27/2018	Not compliant
Madigan's Waterfront	2	2/27/2019	Not compliant
Bann Thai Old Town	2	2/27/2019	Not compliant

BPOL Tax Delinquencies			
Business Name	Length of Delinquency (Years)	Date of Last Notice	Status of Compliance
Fathom Realty	1	1/24/2019	Not compliant
Pin Curls Hair Salon	1	2/14/2019	Not compliant
Allegiance Management One, Inc	1	2/14/2019	Not compliant
Credo Strategies	1	2/14/2019	Not compliant
Crystal Digiovacchino	1	2/14/2019	Not compliant
Fetch Pet Bakery LLC	1	2/14/2019	Not compliant

Real Estate Delinquencies				
Property Owner	Length of Delinquency (Years)	Amount of Delinquency (Tax Only)	Date of Last Notice	Status of Compliance
Selecman, James	5 Years	\$1,476.29	06/14/18	Compliant - monthly payment plan
Granny's Cottage Inc	2 Years	\$134.40	01/09/19	Not Compliant

**Other Items of Note**  
 None.

## Total Funds

### REVENUES

General Fund	FY 2018 Budget	Actual as of 06/30/18	FY 2019 Budget	Actual as of 1/31/18	% of Budget Used
Real Estate Taxes	218,360	227,881	232,500	171,885	73.9%
Meals Taxes	222,650	189,089	220,334	134,142	60.9%
Other Taxes (Sales,Utility,Communications,Transient)	102,000	100,696	102,473	55,963	54.6%
Fines (Public Safety)	24,000	68,970	60,000	83,033	138.4%
Fees and Licenses (Auto,Bus,Late fees,Arch,PM,ATM,Dock,Admin,Eng fees)	94,850	87,106	98,150	15,046	15.3%
Grants (Litter,599,VML,CIP)	125,030	24,953	472,143	15,332	3.2%
Service Revenue (Engineer,Legal,Landscape,CC fees)	22,000	13,992	5,000	1,252	25.0%
Rentals (TH,RMP)	6,000	700	1,500	1,200	80.0%
Interest (GF,Brick,Sponsor)	3,720	5,688	120	1,991	1659.0%
Other Revenues (Reimbursement from Paving, Ins claims)	4,500	3,834	1,000	12,565	1256.5%
<b>Total Revenues General Fund</b>	<b>\$ 1,039,500</b>	<b>\$ 722,909</b>	<b>\$ 1,193,220</b>	<b>\$ 492,407</b>	<b>41.3%</b>

### EXPENDITURES

General Fund	FY 2018 Budget	Actual as of 06/30/18	FY 2019 Budget	Actual as of 1/31/18	% of Budget Used
Personnel Services	335,790	317,703	380,820	205,696	54.0%
Professional Services	136,200	106,259	122,250	58,798	48.1%
Information Technology Services	10,150	14,653	14,050	12,381	88.1%
Materials and Supplies	7,800	11,289	9,000	9,619	106.9%
Operational Services	8,550	9,672	7,500	3,040	40.5%
Contracts (Landscaping, Refuse Collection, Snow Removal)	81,500	74,432	74,500	34,773	46.7%
Insurance	15,720	20,306	20,120	15,640	77.7%
Public Information (Newsletters)	3,250	3,441	3,400	2,296	67.5%
Advertising (Community/ Business Support, Legal Ads)	16,000	6,299	9,000	5,530	61.4%
Training and Travel (Employee, Boards and Commission Training)	15,100	8,761	13,500	4,112	30.5%
Vehicles and Equipment	13,350	13,264	15,300	16,218	106.0%
Seasonal	4,500	3,040	5,500	1,605	29.2%
Town Hall	10,270	10,771	10,910	7,693	70.5%
Mill House Museum	6,740	8,982	6,620	6,975	105.4%
Visitors Center	500	537	620	135	21.8%
Maintenance Yard	2,240	2,585	2,240	2,438	108.9%
Mill Street Storage	250	-	250	59	23.6%
River Mill Park and Facility	23,690	24,439	25,890	13,192	51.0%
Mamie Davis Park (Utilities,Winterization,Public Dock)	3,300	2,924	5,400	1,311	24.3%
Tanyard Hill Road Park	800	-	500	-	-
Furnace Branch Park	500	-	500	-	-
Streets and Sidewalks (Routine Maintenance)	1,400	-	1,400	-	-
Historic District (Routine Maintenance)	10,410	14,784	13,700	8,724	63.7%
Special Events	11,000	8,485	12,950	5,647	43.6%
<b>Total Expenses</b>	<b>\$ 719,010</b>	<b>\$ 662,626</b>	<b>\$ 755,920</b>	<b>\$ 415,883</b>	<b>55.0%</b>
<b>General Fund Net Income</b>	<b>\$ 320,490</b>	<b>\$ 60,283</b>	<b>\$ 437,300</b>	<b>\$ 76,524</b>	<b>17.5%</b>

GENERAL OPERATING ACCOUNTS

<b>Craft Show Fund</b>	<b>FY 2018 Budget</b>	<b>Actual as of 06/30/18</b>	<b>FY 2019 Budget</b>	<b>Actual as of 1/31/18</b>	<b>% of Budget Used</b>
Revenue (FY19 SP & FL,interest)	216,390	226,525	203,950	125,366	61.5%
Expenses (personnel,materials and supplies,operational,contracts,adverting)	108,120	105,238	101,954	57,623	56.5%
<b>Total Net Income</b>	<b>\$ 108,270</b>	<b>\$ 121,287</b>	<b>\$ 101,996</b>	<b>\$ 67,743</b>	<b>66.4%</b>

<b>Mamie Davis Fund</b>	<b>FY 2018 Budget</b>	<b>Actual as of 06/30/18</b>	<b>FY 2019 Budget</b>	<b>Actual as of 1/31/18</b>	<b>% of Budget Used</b>
Revenue	4,100	1,700	2,600	2,015	77.5%
Expenses (Repairs & Maintenance)	2,000	4,539	2,000	172	8.6%
<b>Total Net Income</b>	<b>\$ 2,100</b>	<b>\$ (2,839)</b>	<b>\$ 600</b>	<b>\$ 1,844</b>	<b>307.3%</b>

<b>CIP Fund</b>	<b>FY 2018 Budget</b>	<b>Actual as of 06/30/18</b>	<b>FY 2019 Budget</b>	<b>Actual as of 1/31/18</b>	<b>% of Budget Used</b>
Community Planning Project	25000	24985	0	0	
Intersection Improvements	0	0	420,000	86,720	20.6%
Street Maintenance	15,000	40,966	0	0	
Sidewalk Maintenance	0	0	10,000	0	0.0%
Building Maintenance	2,500	0	0	0	
Stormwater Management	5,000	0		0	
Trash/Recycling Containers	11,000	10,757	17,000	11,747	69.1%
Town Hall Renovations-Lower Level	15,000		0	0	
Gaslight Conversion	10,000	6,065	0	0	
Street/Curb Program	8,000	0	0	0	
Dock Maintenance	10,000	0	0	0	
Tanyard Hill	2,500	0	4,500	0	0.0%
River Mill Park Maintenance	5,000	0	0	0	
Jennings Property	0	786			
Canoe Kayak Ramp	140,000	990	140,000	242	0.2%
In-Vehicle Laptops	2,500	0	0	0	
Body Armor	4,000	2,027	2,400	1,000	41.7%
IBR Reporting	5,000	1,000	0	0	
LIDAR Speed Detection and Related Equipment	0	0	2,300	0	
Office Safety Equipment	0	0	5,100	4,931	96.7%
Pedestrian & Bicyclist Safety Program	0	0	2,300	0	0.0%
Computer Upgrade	10,000	12,186	0	0	
Document Management	5,000	1,453	2,500	0	0.0%
Website Redesign	0	0	0	475	
Town Recodification	10,000	2,263	0	2,998	
Office Equipment Replacement	6,000		0	0	
Zoning & Subdivision Update	0	13,394	0	0	
<b>Total CIP</b>	<b>\$ 291,500</b>	<b>\$ 116,872</b>	<b>\$ 606,100</b>	<b>\$ 108,113</b>	<b>17.8%</b>

<b>Total Net Income All Funds</b>	<b>\$ 139,360</b>	<b>\$ 61,859</b>	<b>\$ (66,204)</b>	<b>\$ 37,997</b>	<b>-57.4%</b>
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## Total Account Balances

<b>ACCOUNTS</b>	
<b>Operational Funds</b>	
Operating Account - Payroll	8,394
Operating Account - Checking	137,957
<b>Total</b>	<b>\$ 146,352</b>

<b>Craft Show Funds</b>	
Craft show Checking	46,774
Craft Show Money Market/CD (Operating Reserves)	200,000
Craft Show Paypal	5,226
Craft Show Investment Pool	103,305
Craft Show Money Market	73,720
<b>Total</b>	<b>\$ 429,025</b>

<b>Mamie Davis Funds</b>	
Mamie Davis Checking	5,383
Mamie Davis Money Market	100,000
<b>Total</b>	<b>\$ 105,383</b>

<b>Bricks Fund</b>	
Bricks Money Market	8,490
<b>Total</b>	<b>\$ 8,490</b>

<b>Total Checking/Savings</b>	<b>\$ 689,249</b>
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Eliot Perkins

**TOWN MANAGER**  
Kathleen R. Leidich, AICP

**CHIEF OF POLICE**  
Adam C. Linn

## Occoquan Police Department

### Monthly Town Council Report March 5, 2019

#### Departmental Goals

- Goal 1: Provide for the public safety of the persons and property of the residents, businesses, and visitors of the Town of Occoquan.
- Goal 2: Promote a professional and accountable police department.
- Goal 3: Promote safe roads and sidewalks in the Town of Occoquan.

#### Current Initiatives

Continued with the Calls for Service police coverage in Town. Working with town officers to increase patrols and visibility during peak calls for service times.<sup>1</sup> Continued field training with town officers and worked with officers to address administrative needs of Police Department.<sup>2</sup>

Directed traffic enforcement on Commerce Street and Gordon Boulevard area (speeding, Block the Box and Driving off Roadway), Union Street/Tanyard Hill Road (speed enforcement), and Washington Street (pedestrian safety and speeding).<sup>3</sup> Directed stop sign enforcement and pedestrian safety enforcement in historic district.<sup>3</sup> Increasing foot patrols and visibility in historic business area.

Continued body worn cameras program for Town Officers and DMV selective enforcement grants to reduce accidents and pedestrian safety.<sup>4</sup>

#### Community Relations

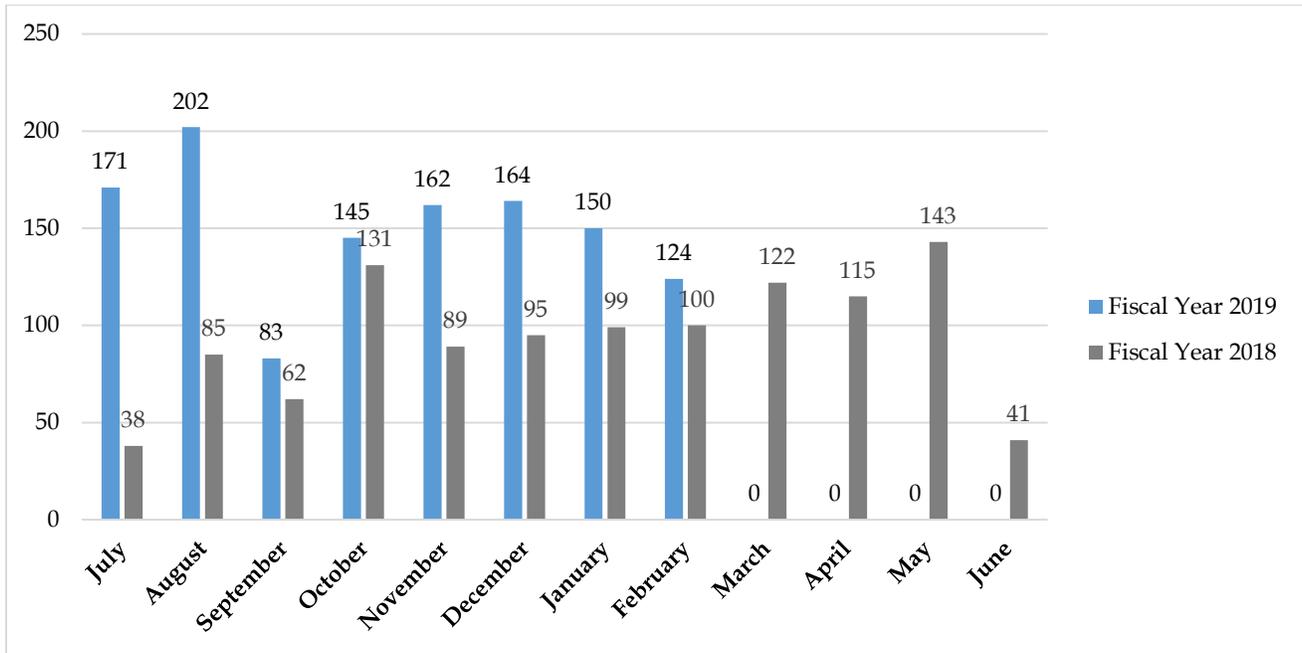
Provided patrol and visibility during “Chocolate Walk “and Pokémon events. Continued Pedestrian Safety Campaign. Provided patrol and visibility throughout Town, including foot patrols through Historic Downtown and residential areas on Washington Street, East Colonial Drive, Overlook Drive, Fortress Way, Occoquan Heights, and Mill Cross. Continued stop sign and speed compliance details.

Responded to snow emergency event. Spoke with multiple residents throughout the month.

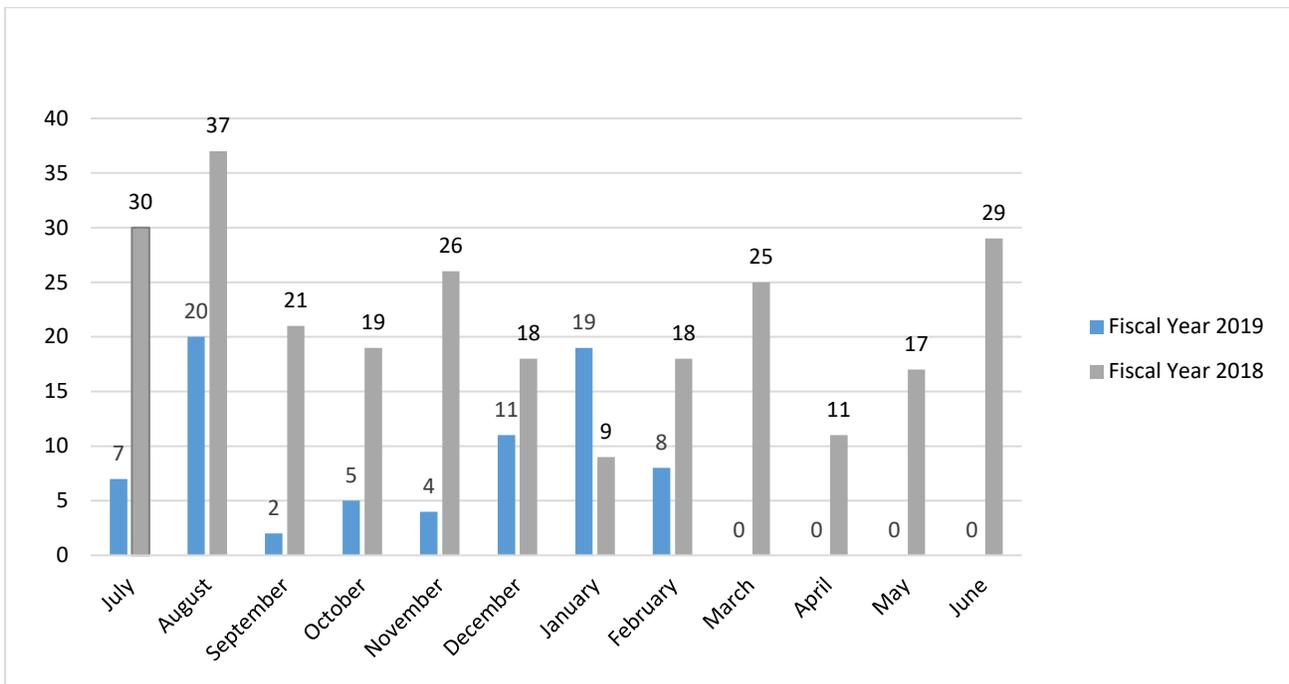
**Patrol and Enforcement Activities**

During the month of February, the Town Police made 1 custodial arrest (assault & battery), issued 124 traffic summonses, and 80 warnings.

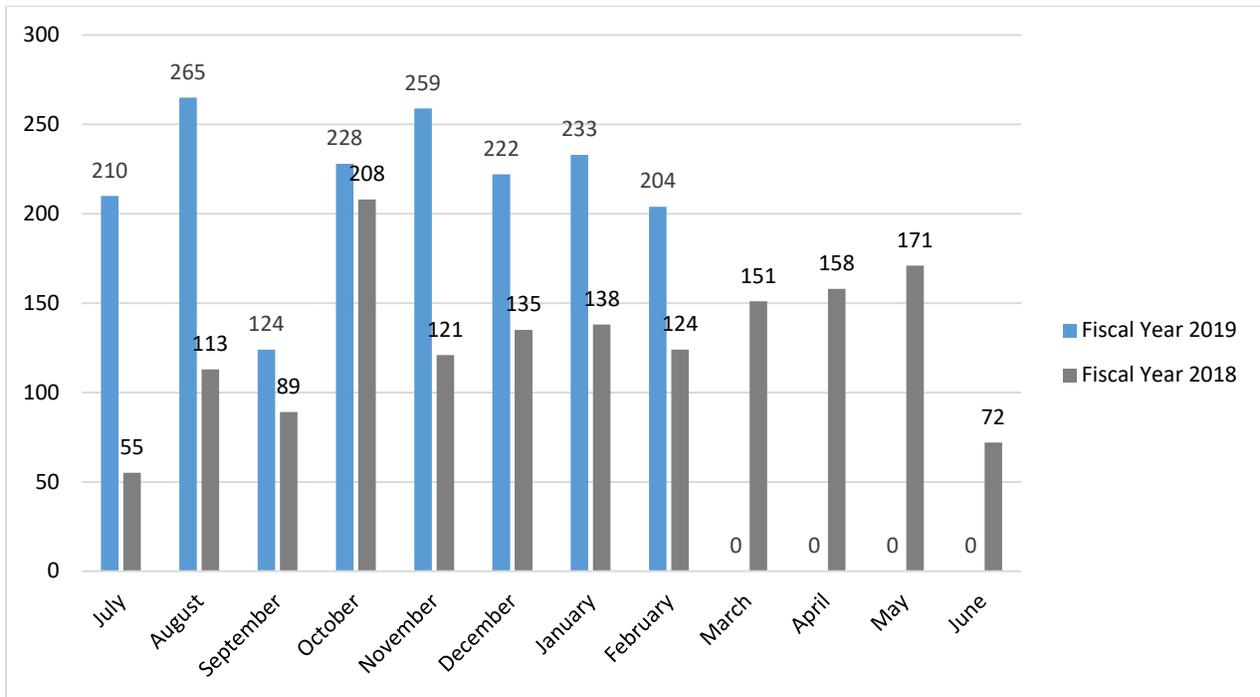
**Traffic Summonses FYTD (GRAPH)**<sup>5</sup>



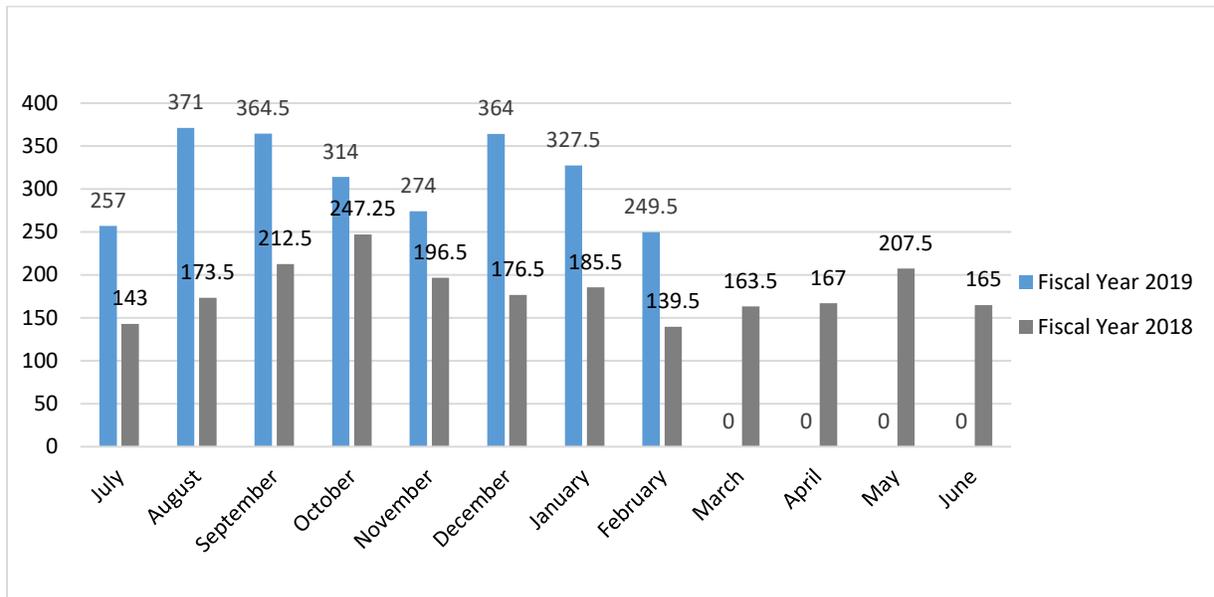
**Parking Tickets Issued FYTD (GRAPH)**<sup>3</sup>

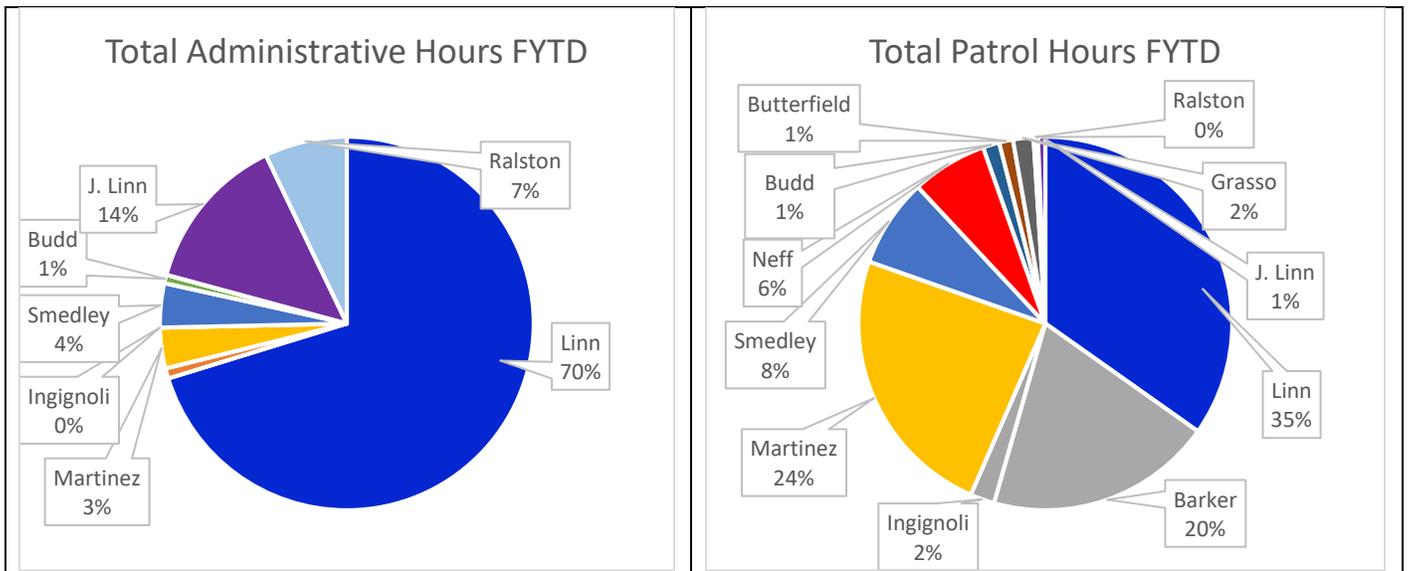


**Traffic Stops YTD (GRAPH)**<sup>5</sup>



**Patrol Hours FYTD (GRAPH)**<sup>5</sup>





**Miscellaneous**

Prepared and submitted three Public Safety Grants (Pedestrian Safety, Speed, and Alcohol) to DMV/NHTSA. Continued Level 3 auxiliary training for administrative and parking officers.<sup>2</sup> Completed an on-site grant review by DMV of current public safety grants and received a finding of no changes suggested.<sup>1</sup> Continued working on piloting a Narcan program to train and equip officers with Narcan and accidental exposure to opioids.<sup>2</sup> Acquired new patrol vehicles and began to place into service.

<sup>1</sup> Goals 1, 2, and 3

<sup>2</sup> Goal 2

<sup>3</sup> Goal 3

<sup>4</sup> Goals 1, 2, and 3

<sup>5</sup> Goals 1 and 3



# TOWN OF OCCOQUAN

## TOWN COUNCIL MEETING

### Agenda Communication

<b>8. Regular Business</b>	<b>Meeting Date:</b> March 5, 2019
<b>8A: Zoning Code Amendments: Home Occupation Certificate Section 157.010</b>	

#### **Explanation and Summary:**

At the 12/4/18 Town Council Regular meeting, Council discussed the need for a review of the Home Occupation ordinance to explore the options available for creating additional flexibility in regards to accommodating clients/employees on site while still preventing significant negative impacts on surrounding residential areas. During Citizens Time at this meeting, three members of the public addressed the Council on the topic of home occupations.

#### **Citizen comments focused on three main topic areas:**

1. **Allowing** employees and clients on site.
2. **Accommodating** business deliveries.
3. **Avoiding** parking issues.

At the February 5, 2019 Regular Meeting, Council forwarded consideration of amending Section 157.010 of the Town Zoning Code to a Joint Public Hearing with the Planning Commission on March 5, 2019.

#### **Draft Ordinance**

The code amendments to Section 157.010 provided for Planning Commission/Council consideration directly address the issues raised by Council member and citizen comments made at the 12/4/18 Regular meeting and the comments/suggestions discussed at the 2/26/19 Community Work Session.

- **Eliminating Subsection (A)** of Section 157.010 and incorporating into Subsection (B) the permission of up to three non-residents to be on site (**Draft A**) and/or up to three vehicles to park, in conjunction with a home occupation (**Draft B**). Both drafts require Zoning Administrator approval for parking.
- **Requiring** commercial deliveries to not be made between the hours of 10:00 PM and 7:00 AM on weekdays or between the hours of 10:00 PM and 9:00 AM on Saturdays, Sundays, and legal holidays.



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

**Motions for Consideration:**

“I move that the Council adopt the proposed amendments to Section 157.010-Home Occupation Certificate as reflected in **Draft A** of the ordinance, pursuant to section 157.267 of the Town of Occoquan Zoning Code.”

OR

“I move that the Council adopt the proposed amendments to Section 157.010-Home Occupation Certificate as reflected in **Draft B** of the ordinance, pursuant to section 157.267 of the Town of Occoquan Zoning Code.”

OR

“I move that the Council **not** adopt the proposed amendments to Section 157.010-Home Occupation Certificate, after due consideration pursuant to section 157.267 of the Town of Occoquan Zoning Code, and that no additional action be taken on these amendments.”

AND

Other action Council deems appropriate.

**Attachments: (5)**

- 1. Original Version of Section 157.010-Home Occupation Certificate**
- 2. Draft A-Code Changes to Section 157.010 for Consideration**
- 3. Draft B-Code Changes to Section 157.010 for Consideration**
- 4. Ordinance-Draft A**
- 5. Ordinance-Draft B**

# Original Version

## § 157.010 HOME OCCUPATION CERTIFICATE.

A home occupation certificate shall be required for all home business occupations and is subject to the following standards.

- (A) No outside employees shall be permitted to work on the premises, except for family members residing in the dwelling.
- (B) No employee, agent, customer, or client shall be permitted to come to the dwelling unit for business related purposes.
- (C) No business signs, freestanding or otherwise, shall be permitted on-site.
- (D) On-site storage of materials, merchandise, or equipment is limited to materials customarily found within a residential dwelling. Such as yarn, cloth, paint, and cosmetic or similar nontoxic or nonhazardous material, and a telephone, computer, or other typical light office equipment necessary to the home business occupation.
- (E) One company vehicle shall be permitted. A company vehicle is a passenger motor vehicle or light duty truck less than 7,500 pounds gross vehicle weight exclusively used in a business or commercial activity and shall not include any of the following: contractor's equipment or other heavy equipment; a garbage truck; tractor; trailer of a tractor-trailer truck; dump truck; tow truck; passenger bus; cement truck; and step vans. The company vehicle must be kept in a garage, accessory building, or in designated parking spaces within off-street parking areas in such a manner that meets or exceeds other provisions of this code.
- (F) The operation must be conducted entirely within the dwelling (not in any accessory structure, i.e., detached shed/garage) by the owner/occupant residing in the dwelling, and shall not change the character of the dwelling unit nor exhibit any exterior evidence of nonresidential use. No outside storage shall be permitted. Commercial deliveries and pickups of supplies associated with the use shall be limited to not more than one per day and shall be made only during business hours.
- (G) The area devoted to the home occupation shall not exceed 25% of the gross floor area of the dwelling unit.

# Draft A

## § 157.010 HOME OCCUPATION CERTIFICATE.

A home occupation certificate shall be required for all home-based business occupations and they are subject to the following standards.

(A) The business may have no more than three non-residents present for business purposes at any one time. For purposes of this provision, the term "non-resident present for business purposes" means any employee or customer, or delivery/pickup person who does not live in the dwelling unit. In the application for a home occupation certificate, the applicant must identify and submit for Town approval the location of parking for business purposes that is satisfactory to the Zoning Administrator. The applicant shall direct all non-residents present for business purposes to use the approved parking.

(B) No additional signs, freestanding or otherwise, shall be permitted on the property or on the exterior of the dwelling unit besides those permitted by Town Code 157.320 Table 1.

(C) The storage of materials, merchandise, or equipment on the property is limited to nontoxic or nonhazardous materials in quantities customarily found within a residential dwelling, and necessary to conduct the home business occupation.

(D) One marked company vehicle shall be permitted. A marked vehicle is a vehicle that is externally marked with any commercial markings. A company vehicle is a passenger motor vehicle or light duty truck less than 7,500 pounds gross vehicle weight exclusively used in a business or commercial activity and shall not include any of the following: contractor's equipment or other heavy equipment; a garbage truck; tractor; trailer of a tractor-trailer truck; flatbed truck; dump truck; tow truck; passenger bus; cement truck; and step vans. The marked company vehicle must be kept in a garage or accessory building. Unmarked company vehicles may be kept in a garage, accessory building or parking spaces approved by the Zoning Administrator under subsection (A) of this section, so long as such parking meets all other provisions of the Town Code.

(E) The operation of the home occupation must be conducted entirely within the dwelling unit (not in any accessory structure, i.e., detached shed/garage) by the owner/occupant residing in the dwelling, and shall not change the character of the dwelling unit nor exhibit any exterior evidence of nonresidential use. No outside storage shall be permitted. Commercial deliveries and pickups of supplies associated with the home occupation shall not be made between the hours of 10:00 PM and 7:00 AM on weekdays or between the hours of 10:00 PM and 9:00 AM on Saturdays, Sundays, and legal holidays.

(F) The area devoted to the home occupation shall not exceed 25% of the gross floor area of the dwelling unit.

(G) The home occupation certificate shall terminate on the earlier to occur of (1) the termination of the home occupation or (2) the applicant's becoming a resident at a different location.

# Draft B

## § 157.010 HOME OCCUPATION CERTIFICATE.

A home occupation certificate shall be required for all home-based business occupations and they are subject to the following standards.

(A) No more than three vehicles may be parked for business purposes at any one time. For purposes of this provision, the term “parked for business purposes” refers to any vehicle parked by an employee or customer, or delivery/pickup person who is entering the dwelling unit but does not live there. In the application for a home occupation certificate, the applicant must identify and submit for Town approval the location of parking for business purposes that is satisfactory to the Zoning Administrator. The applicant shall direct all employees, customers, and delivery/pickup persons who do not live in the dwelling unit to use the approved parking.

(B) No additional signs, freestanding or otherwise, shall be permitted on the property or on the exterior of the dwelling unit besides those permitted by Town Code 157.320 Table 1.

(C) The storage of materials, merchandise, or equipment on the property is limited to nontoxic or nonhazardous materials in quantities customarily found within a residential dwelling, and necessary to conduct the home business occupation.

(D) One marked company vehicle shall be permitted. A marked vehicle is a vehicle that is externally marked with any commercial markings. A company vehicle is a passenger motor vehicle or light duty truck less than 7,500 pounds gross vehicle weight exclusively used in a business or commercial activity and shall not include any of the following: contractor’s equipment or other heavy equipment; a garbage truck; tractor; trailer of a tractor-trailer truck; flatbed truck; dump truck; tow truck; passenger bus; cement truck; and step vans. The marked company vehicle must be kept in a garage or accessory building. Unmarked company vehicles may be kept in a garage, accessory building or parking spaces approved by the Zoning Administrator under subsection (A) of this section, so long as such parking meets all other provisions of the Town Code.

(E) The operation of the home occupation must be conducted entirely within the dwelling unit (not in any accessory structure, i.e., detached shed/garage) by the owner/occupant residing in the dwelling, and shall not change the character of the dwelling unit nor exhibit any exterior evidence of nonresidential use. No outside storage shall be permitted. Commercial deliveries and pickups of supplies associated with the home occupation shall not be made between the hours of 10:00 PM and 7:00 AM on weekdays or between the hours of 10:00 PM and 9:00 AM on Saturdays, Sundays, and legal holidays.

(F) The area devoted to the home occupation shall not exceed 25% of the gross floor area of the dwelling unit.

(G) The home occupation certificate shall terminate on the earlier to occur of (1) the termination of the home occupation or (2) the applicant’s becoming a resident at a different location.

## ORDINANCE # O-2019-\_\_\_\_\_

### AN ORDINANCE TO AMEND CHAPTER 157 OF THE TOWN CODE TO MODIFY THE STANDARDS GOVERNING HOME OCCUPATIONS

BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in \_\_\_\_\_ session this \_\_\_ day of \_\_\_\_\_, 2019:

1. That the Town Council hereby amends Town Code §§ 157.010 Home Occupation Certificate as follows:

### Draft A

#### § 157.010 HOME OCCUPATION CERTIFICATE.

A home occupation certificate shall be required for all home-based business occupations and they are is subject to the following standards.

~~(A) No outside employees shall be permitted to work on the premises, except for family members residing in the dwelling.~~

~~(B) (A) No employee, agent, customer, or client shall be permitted to come to the dwelling unit for business related purposes. The business may have no more than three non-residents present for business purposes at any one time. For purposes of this provision, the term "non-resident present for business purposes" means any employee or customer, or delivery/pickup person who does not live in the dwelling unit. In the application for a home occupation certificate, the applicant must identify and submit for Town approval the location of parking for business purposes that is satisfactory to the Zoning Administrator. The applicant shall direct all non-residents present for business purposes to use the approved parking.~~

~~(C) (B) No business additional signs, freestanding or otherwise, shall be permitted on the property or on the exterior of the dwelling unit besides those permitted by Town Code § 157.320 Table 1 on-site.~~

~~(D) (C) On-site storage of materials, merchandise, or equipment is limited to materials customarily found within a residential dwelling. Such as yarn, cloth, paint, and cosmetic or similar nontoxic or nonhazardous material, and a telephone, computer, or other typical light office equipment necessary to the home business occupation. The storage of materials, merchandise, or equipment on the property is limited to nontoxic or nonhazardous materials in quantities customarily found within a residential dwelling, and necessary to conduct the home business occupation.~~

~~(E) (D) One marked company vehicle shall be permitted. A marked company vehicle is a vehicle that is externally marked with any commercial markings. A company vehicle is a passenger motor vehicle or light duty truck less than 7,500 pounds gross vehicle weight exclusively used in a business or commercial activity and shall not include any of the following: contractor's equipment or other heavy equipment; a garbage truck; tractor; trailer of a tractor-trailer truck; flatbed truck; dump truck; tow truck; passenger~~

bus; cement truck; and step vans. The **marked** company vehicle must be kept in a garage or accessory building. **Unmarked company vehicles may be kept in a garage, accessory building, or in designated parking spaces approved by the Zoning Administrator under subsection (A) of this section, within off-street parking areas in such a manner that so long as such parking meets or exceeds all other provisions of this the Town Code.**

~~(F)~~ (E) The operation **of the home occupation** must be conducted entirely within the dwelling **unit** (not in any accessory structure, i.e., detached shed/garage) by the owner/occupant residing in the dwelling, and shall not change the character of the dwelling unit nor exhibit any exterior evidence of nonresidential use. No outside storage shall be permitted. Commercial deliveries and pickups of supplies associated with the **home occupation** use shall **not be made between the hours of 10:00 AM and 7:00 AM on weekdays or between the hours of 10:00 PM and 9:00 AM on Saturdays, Sundays, and legal holidays** ~~limited to not more than one per day and shall be made only during business hours.~~

~~(G)~~ (F) The area devoted to the home occupation shall not exceed 25% of the gross floor area of the dwelling unit.

**(G) The home occupation certificate shall terminate on the earlier to occur of (1) the termination of the home occupation or (2) the applicant's becoming a resident at a different location.**

2. That this ordinance is effective \_\_\_\_\_.

**MOTION:**

**SECOND:**

**RE:**

**ACTION:**

**Date:** \_\_\_\_\_

**Regular Meeting**

**Ord. No.** \_\_\_\_\_

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY** \_\_\_\_\_

**Town Clerk**

## ORDINANCE # O-2019-\_\_\_\_\_

### AN ORDINANCE TO AMEND CHAPTER 157 OF THE TOWN CODE TO MODIFY THE STANDARDS GOVERNING HOME OCCUPATIONS

BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in \_\_\_\_\_ session this \_\_\_ day of \_\_\_\_\_, 2019:

1. That the Town Council hereby amends Town Code §§ 157.010 Home Occupation Certificate as follows:

### Draft B

#### § 157.010 HOME OCCUPATION CERTIFICATE.

A home occupation certificate shall be required for all home-based business occupations and they are is subject to the following standards.

~~(A) No outside employees shall be permitted to work on the premises, except for family members residing in the dwelling.~~

~~(B) (A) No employee, agent, customer, or client shall be permitted to come to the dwelling unit for business related purposes.~~ **No more than three vehicles may be parked for business purposes at any one time. For purposes of this provision, the term "parked for business purposes" refers to any vehicle parked by an employee, customer, or delivery/pickup person who is entering the dwelling unit but does not live there. In the application for a home occupation certificate, the applicant must identify and submit for Town approval the location of parking for business purposes that is satisfactory to the Zoning Administrator. The applicant shall direct all employees, customers, and delivery/pickup persons who do not live in the dwelling unit to use the approved parking.**

~~(C) (B) No business additional signs, freestanding or otherwise, shall be permitted on the property or on the exterior of the dwelling unit besides those permitted by Town Code § 157.320 Table 1 on-site.~~

~~(D) (C) On-site storage of materials, merchandise, or equipment is limited to materials customarily found within a residential dwelling. Such as yarn, cloth, paint, and cosmetic or similar nontoxic or nonhazardous material, and a telephone, computer, or other typical light office equipment necessary to the home business occupation.~~ **The storage of materials, merchandise, or equipment on the property is limited to nontoxic or nonhazardous materials in quantities customarily found within a residential dwelling, and necessary to conduct the home business occupation.**

~~(E) (D) One marked company vehicle shall be permitted. A marked company vehicle is a vehicle that is externally marked with any commercial markings.~~ **A company vehicle is a passenger motor vehicle or light duty truck less than 7,500 pounds gross vehicle weight exclusively used in a business or commercial activity and shall not include any of the following: contractor's equipment or other heavy equipment; a garbage truck; tractor; trailer of a tractor-trailer truck; flatbed truck; dump truck; tow truck; passenger**

bus; cement truck; and step vans. The **marked** company vehicle must be kept in a garage **or** accessory building. **Unmarked company vehicles may be kept in a garage, accessory building, or in designated parking spaces approved by the Zoning Administrator under subsection (A) of this section, within off-street parking areas in such a manner that so long as such parking meets or exceeds all other provisions of this the Town Code.**

~~(F)~~ (E) The operation **of the home occupation** must be conducted entirely within the dwelling **unit** (not in any accessory structure, i.e., detached shed/garage) by the owner/occupant residing in the dwelling, and shall not change the character of the dwelling unit nor exhibit any exterior evidence of nonresidential use. No outside storage shall be permitted. Commercial deliveries and pickups of supplies associated with the **home occupation** use shall **not be made between the hours of 10:00 AM and 7:00 AM on weekdays or between the hours of 10:00 PM and 9:00 AM on Saturdays, Sundays, and legal holidays** ~~limited to not more than one per day and shall be made only during business hours.~~

~~(G)~~ (F) The area devoted to the home occupation shall not exceed 25% of the gross floor area of the dwelling unit.

**(G) The home occupation certificate shall terminate on the earlier to occur of (1) the termination of the home occupation or (2) the applicant's becoming a resident at a different location.**

2. That this ordinance is effective \_\_\_\_\_.

**MOTION:**

**SECOND:**

**RE:**

**ACTION:**

**Date:** \_\_\_\_\_

**Regular Meeting**

**Ord. No.** \_\_\_\_\_

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY** \_\_\_\_\_

**Town Clerk**



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

<b>8. Regular Business</b>	<b>Meeting Date:</b> March 5, 2019
<b>8B:</b> Zoning Code Amendments: Special Use Permit-Section 157.123 (Setback Regulations) and Section 157.124 (Height Regulations)	

**Explanation and Summary:**

During the course of a recent development application review process (The Mill at Occoquan), it was discovered that modifying the maximum building height regulation and modifying the setback regulations in the B-1 zoning district (Requests #1 and #2 below) were not listed as allowed by Special Use Permit in the B-1 zoning district. Therefore, in order to continue the review of these Special Use Permit applications, it is necessary to consider amending the zoning code to allow the maximum building height and setback regulations to be modified by Special Use Permit in the B-1 zoning district.

**The developer requested the following changes to the B-1 zoning district's requirements:**

1. **To waive** the maximum building height limitation of 35 ft. in the B-1 zoning district to allow the construction of a 5-story, mixed-use building with a maximum height of 65 ft. (Section 157.124).
2. **To waive** the required 5 ft. setback from any street right-of-way that is 50 ft. or greater in the B-1 zoning district to allow the construction of the proposed building on the right-of-way line (Section 157.123).

**Current/Future Development Application Considerations:**

The Mill at Occoquan project involves a total of five (5) parcels, a proposed total of 88 residential units and approximately 6,600 square feet of commercial space on the first floor of the proposed building. The height of the building is currently proposed to be a maximum of 65 feet, approximately 30 feet higher than the 35 ft. maximum building height permitted in the B-1 zoning district (Zoning Code Section 157.124).



## TOWN OF OCCOQUAN TOWN COUNCIL MEETING Agenda Communication

The completion of this project has the potential to dramatically alter the appearance of the western portion of the Town, as it relates to Mill Street and the public view of the Occoquan River. The residential and commercial components of the proposed development also have the potential to negatively impact parking in the Town, unless it includes proper mitigation.

If the zoning code is amended to allow the height and setback regulations to be modified by Special Use Permit within the B-1 zoning district, this allowance would be available to all future development applications in the future. If the code is amended, the intensity of these types of development impacts is likely to be recurring in future development applications for property located in the B-1 zoning district. These types of impacts require increased Council consideration and may require developer mitigation.

Approval of the proposed zoning ordinance amendments will not automatically result in the Mill at Occoquan project being built. The Town Council would still have to process the Special Use Permit applications and could grant the applications with conditions, grant them in part and deny them in part, or deny them entirely, but would need to base its decision on the record and the principles of zoning law.

### **Code Amendments for Consideration:**

**Section 157.123-Setback Regulations:** *The setback regulations contained in this section may be modified as part of the approval of a Special Use Permit or rezoning.*

**Section 157.124-Height Regulations:** *The height limitations contained in this section may be modified as part of the approval of a Special Use Permit or rezoning.*

### **Motions for Consideration:**

“I move that the Council adopt the proposed amendments to Section 157.123-Setback Regulations and Section 157.124-Height Regulations, pursuant to section 157.267 of the Town of Occoquan Zoning Code.”

OR

“I move that the Council **not** adopt the proposed amendments to Section 157.123-Setback Regulations and Section 157.124-Height Regulations, after due consideration pursuant to section 157.267 of the Town of Occoquan Zoning Code.”

AND

Other action Council deems appropriate.

**ORDINANCE # O-2019-\_\_\_\_\_**

**AN ORDINANCE TO AMEND CHAPTER 157 OF THE TOWN CODE TO PERMIT INCREASES IN THE MAXIMUM HEIGHT AND DECREASES IN THE MINIMUM SETBACK BY SPECIAL USE PERMIT IN THE B-1 ZONING DISTRICT**

BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in \_\_\_\_\_ session this \_\_\_ day of \_\_\_\_\_, 2019:

1. That the Town Council hereby amends Town Code §§ 157.010 Home Occupation Certificate as follows:

**Section 157.123-Setback Regulations:** *The setback regulations contained in this section may be modified as part of the approval of a Special Use Permit or rezoning.*

**Section 157.124-Height Regulations:** *The height limitations contained in this section may be modified as part of the approval of a Special Use Permit or rezoning.*

2. That this ordinance is effective \_\_\_\_\_.

**MOTION:**

**SECOND:**

**RE:**

**ACTION:**

**Date:** \_\_\_\_\_

**Regular Meeting**

**Ord. No.** \_\_\_\_\_

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY** \_\_\_\_\_

**Town Clerk**

**Attachment 1**



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

**8. Regular Business**

**Meeting Date:** March 5, 2019

**8C:** Request to Appoint of Business Owner Member to Architectural Review Board

**Explanation and Summary:**

The Town Council appoints members to the Town's Architectural Review Board (ARB). The ARB currently has a vacancy for business owner member. Mr. Ryan Dillard has requested to serve on the ARB as the business owner member. The ARB Chair has reviewed the application and recommends the appointment of Mr. Dillard as the business owner member. The term of office is three years.

**Town Staff's Recommendation:** Recommend appointment of business owner member to the ARB.

**Cost and Financing:** N/A

**Account Number:** N/A

**Proposed/Suggested Motion:**

"I move to appoint Ryan Dillard as business owner member on the Architectural Review Board, effective March 5, 2019 until his term expires on March 5, 2022."

OR

Other action Council deems appropriate.

**Attachments:** None.



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

**8. Regular Business**

**Meeting Date:** March 5, 2019

**8D:** Request to Appoint Member to Planning Commission

**Explanation and Summary:**

The Town Council appoints members to the Town's Planning Commission. Currently, there is one open seat on the Planning Commission that is needed to be filled to meet the minimum membership requirements per the Town Code. We have received an applicant from Mr. Darryl Hawkins for this position. The Planning Commission have reviewed Mr. Hawkins application and recommend approval. The term of office is four years.

**Town Staff's Recommendation:** Recommend appointing the member to the Planning Commission.

**Cost and Financing:** N/A

**Account Number:** N/A

**Proposed/Suggested Motion:**

"I move to appoint Darryl Hawkins to the Planning Commission, effective March 5, 2019 until his term expires on March 5, 2023.

OR

Other action Council deems appropriate.

**Attachments:** None.