



TOWN OF OCCOQUAN

Circa 1734 | Chartered 1804 | Incorporated 1874

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

Occoquan Town Council

Town Council Meeting

April 5, 2022 | 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. **Consent Agenda**
 - a. March 15, 2022 Meeting Minutes
 - b. Request to Adopt Arbor Day 2022 Proclamation
5. **Mayor's Report**
6. **Councilmember Reports**
7. **Boards and Commissions**
8. **Administrative Reports**
 - a. Administrative Report
 - b. Town Treasurer's Report
 - c. Town Attorney
9. **Public Hearing**
 - a. Public Hearing on Council Zoning Text Amendments to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act
10. **Regular Business**
 - a. Request to Adopt Ordinance O-2022-01 to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act
11. **Work Session Items**
 - a. FY2023 Proposed Budget Work Session
 - b. Coronavirus State Local Fiscal Recovery Funds (SLFRF) Briefing
12. **Closed Session**
13. **Adjournment**

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



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

4. Consent Agenda	Meeting Date: April 5, 2022
4 A: Request to Approve March 15, 2022 Meeting Minutes	

Attachments: a. Draft Minutes

Submitted by: Kirstyn Jovanovich
Town Manager

Explanation and Summary:

This is a request to approve the March 15, 2022 Town Council meeting minutes.

Staff Recommendation: Recommend approval as presented.

Proposed/Suggested Motion:

"I move to approve the March 15, 2022 Town Council meeting minutes."

OR

Other action Council deems appropriate.



OCCOQUAN TOWN COUNCIL

Meeting Minutes - **DRAFT**

Town Hall - 314 Mill Street, Occoquan, VA 22125

Tuesday, March 15, 2022

7:00 p.m.

Present: Mayor Earnie Porta; Vice Mayor Jenn Loges; Councilmembers Kryz Bienia, Cindy Fithian, and Eliot Perkins

Absent: Councilmember Holloway

Staff: Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Adam Linn, Chief of Police; Julie Little, Events Director; Manuel Casillas, Town Treasurer; Michele White, Town Clerk

1. CALL TO ORDER

Mayor Porta called the meeting to order at 7:05 p.m.

Mayor Porta announced that Councilmember Bienia is moving out of the Town limits and is unable to continue serving beyond tonight's meeting on Town Council. Mayor Porta presented a plaque of appreciation to Ms. Bienia and thanked her for her service to the Town.

Councilmember Bienia expressed her appreciation to the Town Council, and the entire Occoquan community and stated it had been an honor to serve.

2. PLEDGE OF ALLEGIANCE

3. CITIZENS' TIME

No one spoke at Citizens' time.

4. CONSENT AGENDA

- a. February 15, 2022 Meeting Minutes
- b. Request to Set Public Hearing on Zoning Text Amendment to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act

Councilmember Perkins moved approval of the Consent Agenda. Vice Mayor Loges seconded. Motion passed unanimously by voice vote.

5. MAYOR'S REPORT

Mayor Porta reported the following:

- On February 11, conducted a familiarization tour with tour operators brought here by Prince William County;
- On February 12, attended the OWL Volunteer Awards and Officer Installation banquet;
- On February 13, participated in ChocolateFest;

- On February 5, toured the new Mosque along with the Town Manager, Chief of Police, Prince William County BOS Chair and had lunch with members afterwards.

Mayor Porta noted that town resident Cindy Chapman thanked town staff for assisting her with removing large pieces of storm debris resulting from the January snow event from her property. The large pieces of debris were too large for the Town's refuse contractor to collect, so Town staff removed the limbs to dispose.

Mayor Porta stated that with Ms. Bienia's exit from the Town Council, her seat has become vacant and the Town Council may appoint a resident to fill the remainder of her term through December 31, 2022. More information on the appointment process will be included in the April 2022 newsletter and town website, with candidates to be considered at the April 19, 2022 Town Council meeting.

6. COUNCILMEMBER REPORTS

Councilmember Fithian reported that she attended the Community Foundation for Northern Virginia's Finding Our Way Back to Mental Health Conference on March 15, 2022.

7. BOARDS AND COMMISSION REPORTS

Councilmember Fithian reported that the ARB met and unanimously approved a Certificate of Appropriateness for The Mill at Occoquan Exterior Elevation application. She noted that the application only included the exterior of the building, and that the riverwalk would be reviewed under a future application.

Councilmember Perkins reported that the Planning Commission will host representatives from Alpine-X who will provide a brief presentation on the project and respond to questions from the Planning Commission at their meeting on March 22, 2022. He noted the intent is to learn more about the project and discuss future partnership opportunities.

8. ADMINISTRATIVE REPORTS

a. Administrative Report

Ms. Jovanovich provided a written report as part of the agenda packet.

Mayor Porta commented that the monthly Administrative Report is excellent and thorough in providing timely updates on the town's day-to-day activities and status updates on ongoing projects impacting the town. Mayor Porta asked if the Administrative Reports are on the website outside of the meeting agenda packet. Ms. Jovanovich stated that the intent is to create a page that includes the Administrative Reports separately on the website for ease of access.

Councilmember Fithian acknowledged the number of volunteer hours contributed to public safety within the town.

b. Town Treasurer Report

Mr. Casillas provided a written report as part of the agenda packet.

Mayor Porta expressed his appreciation that the transient taxes were up to date and in compliance.

Mayor Porta asked if the business licenses received were low due to timing. Ms. Jovanovich said yes; license payments for FY2022 are due by the end of May and will show in the report at that time.

Mayor Porta inquired if the unassigned category is the cash on-hand to cover operating expense. Mr. Casillas indicated yes.

Vice Mayor Loges asked about the status of the FY2022 CIP projects. Ms. Jovanovich stated that CIP projects are underway, and an update will be provided during the FY2023 budget presentation later in the meeting.

c. Town Attorney Report

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

9. WORK SESSION ITEMS**a. FY 2023 Budget Work Session**

Ms. Jovanovich provided a presentation on the proposed budget covering updates to the General Fund and the Events Fund since the first budget work session in February, and a status update of the FY2022 capital program and a presentation on the FY2023 proposed Capital Improvement Program.

Ms. Jovanovich requested direction from the Town Council on a policy to transfer funds from the General Fund to the Events Fund to support general community events that are not normally self-supporting. After discussion, the Town Council set the policy that there would be no transfer and that the Events Fund should be self-supporting, with revenues supporting events and investments into the Capital Improvement program.

Ms. Jovanovich indicated that the final budget work session in April will include an overview of the fund balances.

Councilmember Perkins moved to advertise the real estate tax rate at \$0.12 per \$100 of assessed value. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

Councilmember Fithian moved to advertise the meals tax rate at 3 percent. Councilmember Bienia seconded. Motion passed unanimously by voice vote.

Vice Mayor Loges moved to advertise the transient occupancy tax rate at 7 percent. Councilmember Bienia seconded. Motion passed unanimously by voice vote.

Vice Mayor Loges moved to advertise the FY 2023 Proposed Operating Fund budget of \$1,227,546 in revenue and \$1,227,546 in expenses. Councilmember Bienia seconded. Motion passed unanimously by voice vote.

Councilmember Bienia moved to advertise the FY 2023 Proposed Capital Improvement Fund budget of \$181,000 in revenue and \$266,000 in expenses. Councilmember Perkins seconded. Motion passed unanimously by voice vote.

Councilmember Fithian moved to advertise the FY 2023 Proposed Mamie Davis Fund budget of \$500 in revenue and \$5,000 in expenses. Councilmember Bienia seconded. Motion passed unanimously by voice vote.

Councilmember Bienia moved to advertise the FY 2023 Proposed Events Fund budget of \$256,870 in revenue and \$196,223 in expenses. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

Councilmember Fithian moved to advertise the FY 2023 Proposed E-Summons Fund budget of \$12,000 in revenue and \$3,150 in expenses. Councilmember Perkins seconded. Motion passed unanimously by voice vote.

b. Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Briefing Update
The Town Council deferred this item to their next meeting.

10. CLOSED SESSION

Vice Mayor Loges made a motion that the Council convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel pertaining to probable litigation involving a town resident where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Town. Councilmember Bienia seconded the motion. The motion passed unanimously by voice vote.

The Council went into closed session at 9:57 p.m.

The Council came out of closed session at 10:04 p.m.

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

Ayes: Vice Mayor Loges, Councilmember Bienia, Councilmember Fithian, Councilmember Perkins

Nays: None.

11. ADJOURNMENT

The meeting was adjourned at 10:05 p.m.

Kirstyn Jovanovich, Town Manager



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

4. Consent Agenda	Meeting Date: April 5, 2022
4 B: Request to Adopt Arbor Day 2022 Proclamation	

Attachments: a. Proclamation

Submitted by: Kirstyn Jovanovich
Town Manager

Explanation and Summary:

This is a request to proclaim Friday, April 29, 2022 as Arbor Day in the Town of Occoquan. A short tree planting ceremony is planned for the fall later this year.

Staff Recommendation: Recommend approval of the attached proclamation as presented.

Proposed/Suggested Motion:

"I move to adopt the 2022 Arbor Day proclamation."

OR

Other action Council deems appropriate.



Proclamation

WHEREAS, in 1872, J. Sterling Morton proposed that a special day be set aside for the planting of trees, and this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, conservation of our natural resources and beautification of the Occoquan community are both very important to the quality of life enjoyed by residents; and

WHEREAS, trees enhance the beauty of Occoquan, increase property values, enhance the economic vitality of business areas, improve our environment, and provide important educational experiences; and

WHEREAS, the planting of new trees will be the expression of our commitment to future generations; and

NOW, THEREFORE, I, Earnest W. Porta, Jr., Mayor of the Town of Occoquan, and on behalf of the Occoquan Town Council hereby proclaim Friday, April 29, 2022 as

ARBOR DAY

in the Town of Occoquan and urge all individuals, groups, and businesses to celebrate and enjoy Occoquan’s outdoors and the richness of our town through the planting and preservation of trees.

Adopted this 5th day of April 2022.

Earnest W. Porta, Jr. MAYOR
On behalf of the Town Council of
Occoquan, Virginia

ATTEST:

Kirstyn Jovanovich, Town Manager



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

TOWN MANAGER
Kirstyn Jovanovich

TO: The Honorable Mayor and Town Council

FROM: Kirstyn Jovanovich, Town Manager

DATE: April 5, 2022

SUBJECT: Administrative Report

This is a monthly report to the Town Council that provides general information on departmental activities including administration, public safety, engineering, zoning and building, public works and events.

Administration

- **Coronavirus Updates:** As of the date of this report, Prince William County's COVID-19 community level is LOW. This is based on the revised guidance issued by CDC in February 2022 on how localities can assess COVID-19 related risk within their communities. The optional masking policy remains in place for town facilities: masking is optional for fully vaccinated individuals; unvaccinated and high-risk individuals should continue to wear masks in public indoor spaces. Staff continues to closely monitor information from the CDC and local health and government authorities to guide decisions about Town activities and policies.
- **ARPA Update:** The Town Council received a briefing at their February 15, 2022 meeting on the Coronavirus State and Local Fiscal Recovery Fund (CLFRF) regarding the town's expected distribution and the Interim Final Rule's guidance on uses. A Town Hall meeting was held on March 1, 2022 to obtain initial community feedback on the potential projects list. The Town is entitled to receive \$949,560.76 under the Non-Entitlement Unit (NEU) distribution, having received the first half on June 30, 2021, and the second tranche expected around June 2022. The Final Rule has been issued by the Treasury Department; staff is reviewing and will brief Council at a future meeting. The scheduled briefing update on March 15, 2022 was deferred to the April 5, 2022 Town Council meeting.
- **FY2023 Proposed Budget:** The Proposed FY2023 Budget and information on the budget process is available on the Town's website at www.occoquanva.gov. A public hearing on the budget is scheduled for April 19, and on the proposed tax rates on May 3, 2022. Adoption of the budget and tax rates is scheduled for the June 7, 2022 meeting.
- **Intersection Improvements Update:** Work continues on the intersection improvement projects through early April. The project includes installation of ADA ramps and crosswalks at the intersections of Mill/Washington Street and Mill/Ellicott Streets. A ribbon cutting event will be scheduled - more information will be provided as details are developed. Status information on the project will be updated on the town's website at www.occoquanva.gov/construction-updates.
- **Amplified Outdoor Sound Permit:** An Amplified Outdoor Sound Permit has been established as per Town Code § 92.10. Information on the process is available on the Town's website and notification to the community will be pushed in April. Staff is developing an informational handout on the new program.

- **VDOT TAP Grant Project:** Participated in a meeting with representatives from Prince William County and VDOT regarding the County’s TAP projects, specifically the Union Street sidewalk project that would connect the proposed Occoquan Greenway Trail to the Town’s existing sidewalk along Ellicott Street. The project is being proposed by Prince William County Parks and includes sidewalk improvements along Ellicott Street, including adding a missing sidewalk connection near the intersection Mill and Ellicott Streets. The Town Council adopted a resolution of support for the project at it’s September 21, 2021 meeting, which has been provided to County staff. The project is being submitted as part of the County’s TAP project list. Notification of award status is not expected until Spring 2022.
- **Community Strategy & Comprehensive Plan Update:** Staff is working with the Planning Commission to develop a Community Plan as an addendum to the Town’s Comprehensive Plan. The 2021 update of the Comprehensive Plan was approved at the December 7, 2021 Town Council meeting.
- **Regional Hazard Mitigation Plan Update:** Town staff is participating in the update to the Northern Virginia Hazard Mitigation Plan, which is updated every five years.
- **FY2022 Capital Projects:** Town staff met with a Prince William County representative to obtain quotes on FY2022 capital projects, specifically street maintenance projects. Once quotes are received and reviewed by Staff, Town Council will be asked to review and award contracts as appropriate.
- **Mill Street Water Issue:** The Town Manager and Zoning Administrator met with representatives from VDOT in regards to the continued water flow issue on Mill Street. VDOT contractors milled and paved the section of Mill Street from Ellicott Street to the cul-de-sac in early March; however, initial review indicates that the road still needs to be recrowned. Staff is continuing to coordinate with VDOT and will provide more information as VDOT reviews the remaining issue.
- **Town Hall Sewer Line:** The section of sewer line inside of Town Hall is scheduled for replacement April 11-13, 2022. Town Hall will be staffed, but significant work will be occurring in the lower level.
- **Meetings and Events:** (1) Participated in virtual and an on-site pre-construction meetings regarding the Mill Street Intersection Improvement projects – communicated with adjacent property owners regarding construction schedule and impacts; (2) participated in a meeting with Prince William County representatives and the Town Engineer regarding the Town stormwater program; (3) participated in an event at Masjid Al-Hussain Occoquan mosque; (4) participated in an ARB pre-application meeting regarding the Beer Garden project; (5) met with engineering consultants regarding the preparation of a stormwater grant application (6) conducted interviews for Management Fellow position; (7) met with energy audit consultants to discuss performing energy audits on town buildings; (8) participated in a pre-construction meeting with VDOT and their paving contractor regarding upcoming paving in town; (9) held several internal budget meetings; (10) conducted interviews for Town Clerk positions.

Treasurer Report – Supplemental Information

The January 2022 Financial Report is included in the Town Council agenda packet. Additional information regarding current delinquencies is included below.

BPOL Tax Delinquencies*		
Business Name	Years of Delinquency	Date of Last Notice/Status

**2022 BPOL applications were due on March 1, 2022; payments are due by May 31, 2022. Delinquencies will be reported after May 31, 2022.*

Transient Tax Delinquencies		
Business Owner	Months of Delinquency	Date of Last Notice/Status

Meals Tax Delinquencies		
Business Name	Months of Delinquency	Date of Last Notice/ Status
Riverside Coffee/Baba & Me	8	1/24/2022

Real Estate Delinquencies				
Property Owner	Years of Delinquency	Delinquent Tax Amount	Date of Last Notice	Notes
3304 LLC	1	\$1,887.36	Pending	
Brunzman Lori L & David M Brunzman SURV	1	\$0.48	Pending	
Brunsvold Kenneth T	1	\$180.17	Pending	
Cooper Heather E	1	\$450.12	Pending	
Fugate Jim R & Linda L Surv	1	\$164.52	3/30/2022	2020 Tax Year
Granny's Cottage Inc	6	\$403.20	8/15/2021	
Head Nelson H	1	\$468.84	Pending	
Houghton Lance	1	\$970.92	Pending	
Houghton Ronald W ETAL	4	\$70.08	10/26/2021	
Jones Saluka Hallie	1	\$287.28	2/17/2022	
Ksanznak Ryan	1	\$549.48	Pending	
Light Mark D & Rina Kocsany J-T Surv	1	\$10.08	10/26/2021	
Marcellino Elizabeth H	1	\$475.68	Pending	
Munoz Victor M & Jolene A	1	\$543.00	Pending	
Potter Marvin H	1	\$390.36	Pending	
River Mill Investments LLC	1	\$619.08	Pending	
Sales Jr Frederick	1	\$178.56	Pending	
Stone House Holding Company LLC	1	\$537.00	Pending	
Taylor Kelly G	1	\$0.92	Pending	
Three Eleven Mill Street LLC	1	\$778.32	Pending	
Volmanfamily LLC	1	\$398.52	Pending	
Yi Kye Whang & Nam Sun SURV	1	\$594.12	Pending	

Engineering

- **FEMA Flood Insurance Rate Map (FIRM) - no change from last report:** Minor changes suggested on stream names. Town website included notification of changes to FIRM. Expected adoption of new mapping winter 2021, spring 2022. May require update of ordinance.
- **DEQ review of Town's Chesapeake Bay Preservation Ordinances - update from last report:** DEQ report issued April 7, 2021 with Draft Corrective Action Plan issued for changes to Town Code and Comprehensive Plan. Planning Commission incorporated changes into Comprehensive Plan update, which was forwarded to DEQ 12/10/21. New Chesapeake Bay changes presented to Planning Commission, who recommended approval after a public hearing on March 22, 2022. Town Council to hear issue April 5, 2022.
- **Kiely Court Project - no change from last report:** Land Disturbance Permit issued - construction commenced. Site work considered completed, but Town staff continues to monitor erosion and sediment controls and parking on/near job site.
- **Rivertown Overlook Project - no change from last report:** Land Disturbance Permit issued - construction proceeding.

- **Mill at Occoquan - no change from last report:** Floodplain study comments by FEMA issued March 2, 2022. Pre-application meeting held with J2 Engineering for site plan.
- **109 Poplar Lane - no change from last report:** PWC may be issuing building permit, which will trigger need for land disturbance permit in Town.
- **PWC Transportation Alternatives Program (TAP) grant projects - no change from last report:** Sidewalk extensions on Ellicott Street only in coordination with Prince William County Parks, Recreation and Tourism. Notice of grant status expected in Spring 2022.
- **PWC Transportation Mill Street pedestrian crosswalks - update from last report:** Crosswalks approved and construction underway.
- **Community Strategy - no change from last report:** Working with Planning Commission on addendum to Comprehensive Plan to establish minimum standards for Town facilities. Preliminary outline presented to Planning Commission on August 26, 2021.
- **Stormwater Management Grants - no change from last report:** Reviewing various grant and loan opportunities for multiple projects throughout Town.
- **McKenzie Drive Sidewalks - update from last report:** Reviewing options to potentially add a sidewalk along McKenzie Drive.
- **FCWA River Crossing Construction - update from last report:** Project delayed, but tentatively scheduled to start in mid-June, 2022.
- **200 Mill Street - Beer Garden - update from last report:** Minor construction started with concrete pad.
- **Site Plans/Plats Under Review or Being Discussed with Owner/Tenant:**

Address	Plan Number	Use	Status
109 Poplar Lane	N/A	Dock extension	No submission to date
Mill at Occoquan	N/A	Mixed Use project	Pre-application 12/17/21
Barrington Point	N/A	Retaining Wall	E&S Plan approved 2/27/22, Land Disturbance Permit issued 3/15/22
119 Poplar Lane	N/A	Consolidation Plat	Consolidating lots at 119, 121, and 123 Poplar Lane

Zoning Administrator

A. The following is a list of **zoning reviews** from March 1, to March 30, 2022:

	Zoning Application #	Property Address	Activity
1	TZP2022-012	406 Fortress	Replace electrical subpanel
2	TZP2022-013	380 Myrtle Place	Home based business
3	TZP2022-014	312 Commerce Street	200-amp service upgrade
4	TZP2022-015	208 Poplar Alley	New restaurant - Salad Saloon
5	TZP2022-016	303 Commerce Street, Unit B	New tenant- health food store

B. The following is a list of **new violation letters** from March 1, to March 30, 2022:

	Property Address	Violation	Town Action
1	207/209 Commerce St	Refuse violation	Violation Sent certified and USPS 3/21/22
2	303 Commerce St	Refuse violation	Violation Sent certified and USPS 3/21/22
3	204 Union St	Refuse violation	Violation Sent certified and USPS 3/21/22
4	201 Union St- Zorbas	Sign violation	Violation Sent certified and USPS 3/21/22
5	440 Mill St	Sign violation	Violation Sent certified and USPS 3/21/22

C. The following is a list of **active/previous violations** from March 1, to March 30, 2022:

	Property Address	Violation	Town Action
1	201 Union St. – Riverside Coffee and Ice Cream (Baba & Me)	Unpermitted Signage	E-mail correspondence on 8/2/21 and 8/12/21 to work with owner on compliance; some signs removed – some violations remain; <i>Referred to enforcement for action.</i> 30-day appeal period expired on 11/30. Enforcement pending.
2	307 Commerce St.	Residential use in B-1	One-story residential on Commerce Street; complies with O-2021-06 allows residential use by-right; in compliance as of December 7, 2021.
3	204 Ellicott St.	Residential use in B-1	Letter, 1 st Enforcement Action; <i>Action Plan Developed</i> – Current use is mixed-use; business front Ellicott Street and residential in rear; in compliance
4	303 Commerce St.	Residential use in B-1	Letter, 1 st Enforcement Action; <i>Action Plan Developed</i> – <i>In Progress</i>

Building Official

Please see the attached monthly report provided by Prince William County providing information on permits within the Town of Occoquan. Below are status notes related to permits issued two or more years ago as of February 28, 2022:

Permit No.	Address	Type	Status	Issue Date	Note
BLD-2019-00547	402 Fortress Way	Building	Issued	07/30/2018	No inspections have been made.
GAS2019-00432	270 Gaslight Landing Ct	Gas	Issued	9/20/2018	No inspections have been made.
PLB2020-00752	201 Mill Street	Plumbing	Issued	10/1/2019	No inspections have been made.
BLD2018-04471	313 Mill Street	Building	Issued	02/23/2018	No inspections have been made
BLD2020-02847	1604 Mount High Street	Building	Issued	11/26/2019	No inspections have been made
BLD2014-05879	1441 Occoquan Heights Ct	Building	Issued	04/25/2014	Footing Inspection Approved 5/5/2014
BLD2018-04008	199 Union Street	Building	Issued	01/31/2018	No inspections have been made
PLB2018-01862	199 Union Street	Plumbing	Issued	01/31/2018	450 Final Inspection rejected on 4/12/2018
BLD2020-03981	202 Union Street	Building	Issued	2/12/2021	
PLB2018-02373	411 Union Street	Plumbing	Issued	03/23/2018	404 Sewer Lateral Inspection approved on 3/29/2018
BLD2019-00785 ELE2019-00643 PLB2019-00381	131 Washington Street	Building Electrical Plumbing	Issued	08/13/2018	198 Combination concealment rejected on 9/18/2018
PLB2018-01956	103 West Locust Street	Plumbing	Issued	02/08/2018	No inspections have been made

Permit No.	Address	Type	Status	Issue Date	Note
BLD2018-02984 ELE2020-04159 GAS2021-00349 MEC2021-00002 PLB2021-00536	430 Mill Street – Kiely Court	Various	Issued	2019-2021	Kiely Court Project – in progress
Various	1551 – 1556 Rivertown Place	Various	Issued	Various	Rivertown Overlook Project – in progress
BLD2022-03797 MEC2022-01673 MEC2022-01674 PLB2022-01611	200 Mill Street – Mill Street Beer Garden TLO	Various	Pending	Pending	Permit review in progress

Staff will work with Prince William County Building Department staff to develop a letter template to notify property owners within the town of outstanding open permits.

Public Safety

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 patrol and business coverage in town. Continued community policing and safe sidewalks. Continued speed enforcement on Route 123, Washington Street, and Union Street/Tanyard Hill Road. Continued DMV selective enforcement grants to address impaired driving, reduce accidents, and increase pedestrian safety.

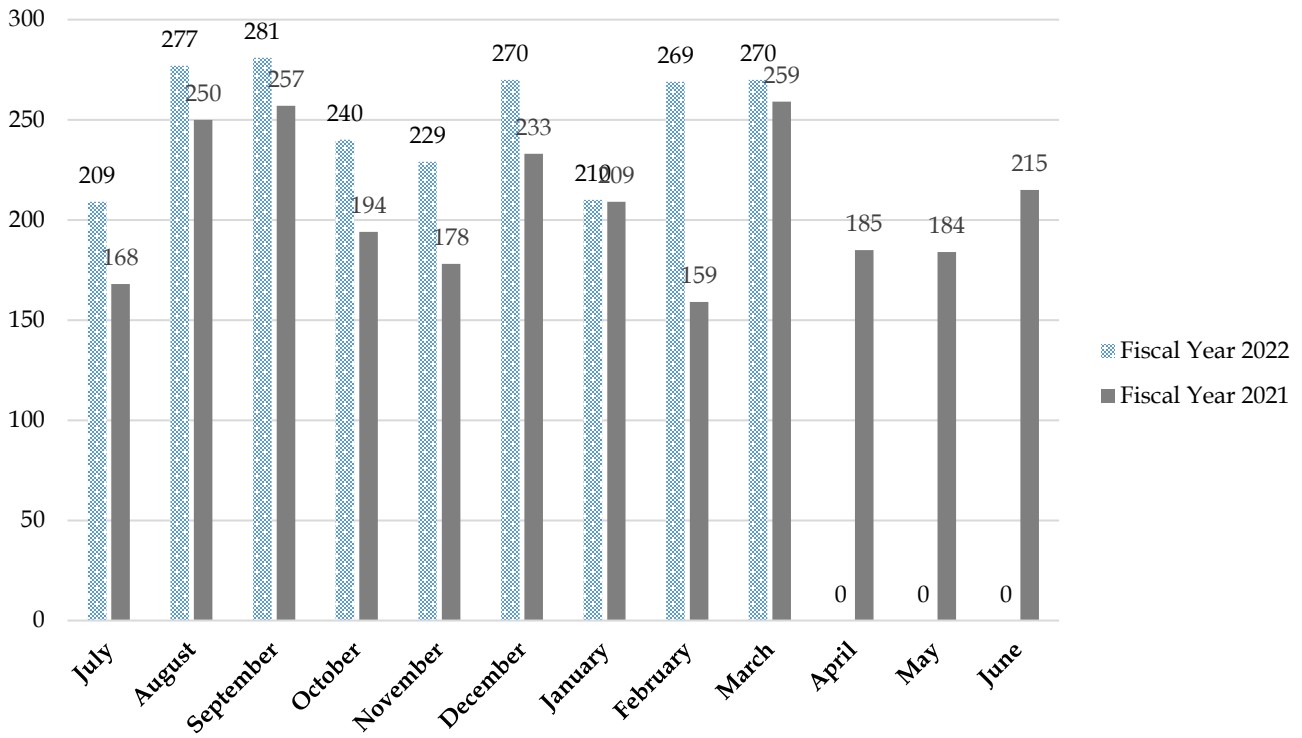
Community Relations

Engaged in foot patrols during business hours in Town. Officers spoke with business owners and residents throughout the month. Officers included members of the Occoquan Mosque to join in a cultural awareness training.

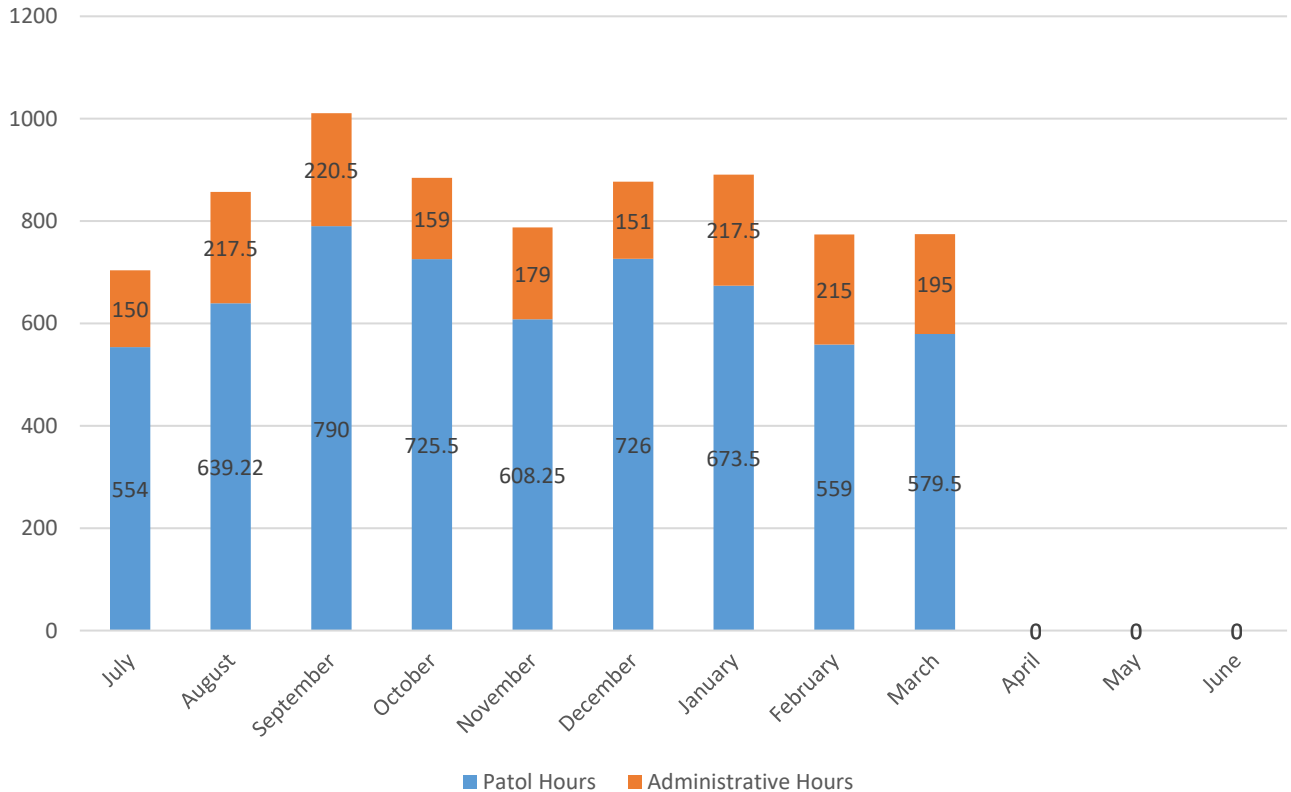
Patrol and Enforcement Activities

As of March 29, 2022, in the month of March, the Town Police made 70 business checks and 167 park checks. The Town Police also had 115 calls for service, with 12 suspicious person/vehicle/circumstance calls, 11 disabled vehicles/motorist assist calls, 10 vehicle accidents, 6 roadway obstruction calls, 6 trespassing calls, 6 traffic control calls, 5 disorderly/assault in progress calls, 3 welfare checks, 3 drug complaints/confiscation, 2 alarm calls, 2 fire calls, 2 fleeing and eluding calls, 2 hit and run calls, 1 animal call, 1 found property call, 1 noise complaint, 1 impaired driving call, 1 domestic in progress call, 1 illegal dumping call, 1 emotionally disturbed person call, 1 missing person call, 1 medical call, 1 attempted suicide call, 1 vandalism call, multiple service/assist calls, and swore out 4 warrants for custodial arrests, issued 270 traffic summonses, 44 parking violations, and 73 warnings.

Traffic Summonses FYTD (GRAPH)



Patrol/Administrative Hours FYTD (GRAPH)

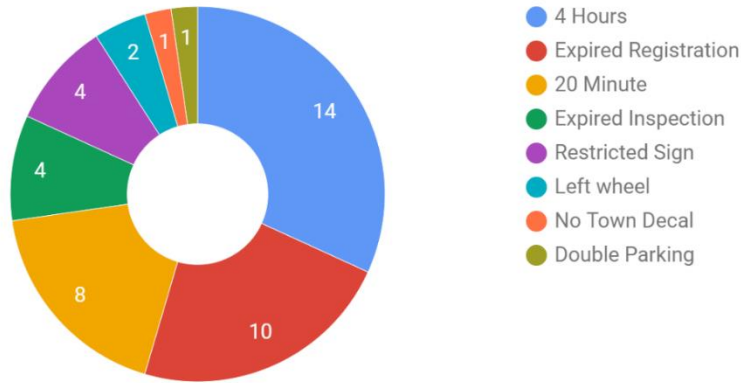


Parking Enforcement (CHART/GRAPH)

Total Parking Enforcement (FYTD)

	Parking Tickets	Warning
July	105	6
August	50	1
September	69	2
October	81	1
November	54	2
December	54	9
January	24	5
February	47	3
March	44	2

Occoquan VA - Tickets By Violation (Month To Date)



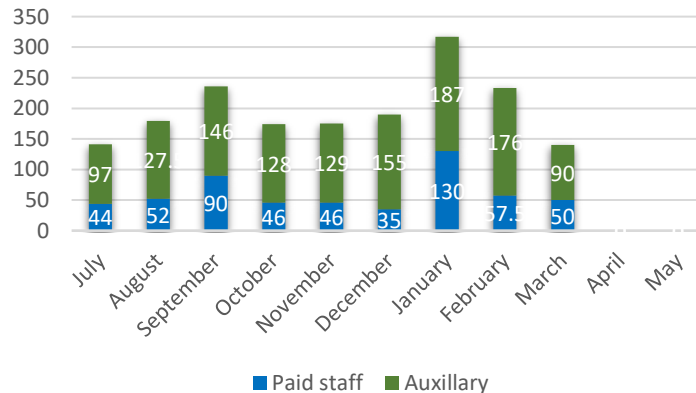
Data as of 3/30/2022, 12:00:00 AM



Volunteer in Police Service

For Fiscal Year 2022, our auxiliary police officers and paid police staff have donated a total of 1,786 uncompensated hours to the Town. Below is a list of volunteer hours (uncompensated time) provided by our auxiliary police officers and paid police staff:

Volunteered Hours



Public Works

Weekly Activities

The Public Works Department engages in the following regular maintenance activities:

Activity	Daily, M-F	Sat/Sun	Weekly	Monthly	Notes
Trash Collection/Check	X	X			Weekend checks during high traffic seasons
Street Sweeping			X		Sweeping Season: April - October
Check/Repair Gaslights	X				Review and schedule repairs as needed
Check/Repair Gaslight Banners	X				
Check/Clean Trash/Recycling Cans			X		Clean as needed
Check/Replace Doggie Bags			X		
Check/Clear Storm drains			X		Weekly + Storm Prep
Check Public Restrooms	X	X			Weekend checks during high traffic seasons
Contractor Cleaning - RMP			X		Contractor cleans Fridays and Mondays
Check Tanyard Hill Park			X		Review and schedule repairs as needed
Check Mamie Davis Park and Boardwalk	X				Review and schedule repairs as needed
Check River Mill Park	X				Review and schedule repairs as needed
Check Furnace Branch Park			X		Review and schedule repairs as needed
Minor Brick Sidewalk Check/Repairs			X		Review and schedule repairs as needed
Check/Replace Flags			X		
Maintain Town Equipment			X		Vehicle and small engine repair, seasonal and as needed
Maintain Town Buildings			X		Review and schedule repairs as needed
Clean Town Vehicle			X		Ensure cleanliness and care of town vehicle
Maintain Annex/PW Facility	X				External and Internal clean up and organization
Check/Maintain Dumpster and storage area				X	
Water Flowers	X				Seasonal
Graffiti Check/Removal	X				
Litter Check/Removal	X				

Maintenance Highlights (March 2022)

- Working on Scope of Work for other public works capital projects scheduled for FY2022
- Coordinating with contractors on Intersection Improvement project construction
- Contracting and oversight of brick and curb repair projects in the historic district
- Safety repairs on the dock and Riverwalk; quoting power washing

Upkeep and Maintenance Projects

Below is an updated list of maintenance activities with statuses updated as of March 31, 2022:

Project	Not Started	In Progress	Completed
Town Hall Bathroom Remodel		X	
Town Hall Kitchen Remodel	X		
River Mill Bathroom Upgrades	X		
Repair Town Hall Eve Damaged due to Tree	X		
Clean Lower Level Emergency Exit Stairs at Town Hall	X		
Install Custom Bricks at River Mill Park		X	
Backup Generator Project		X	
Install new fence at Mamie Davis Park		X	
Install replacement bench in River Mill Park		X	
Paint street sign poles black outside of historic district		X	
Paint Yellow curbs	X		
Address dirt area near LOVE sign steps	X		
Paint Town Hall front steps sides	X		
Repair Town Hall landscape lighting	X		
Repair concrete steps at Town Hall	X		
Clean/Maintain River Mill Park Light/Poles		X	
Clean off Kayak Ramp		X	
Repair broken light on Fairfax side of footbridge		X	
Develop Art installation project for Agnes Commemoration		X	
Install curbstops along fence line in Town parking lot	X		
Remove graffiti from under bridge (ongoing), town		X	
Replace sensor at RMP for park lights	X		
Repair town portable generator	X		
Complete minor brick repairs		X	
Complete repairs on Riverwalk/dock - replace boards; reattach; safety issues		X	
Schedule powerwash of Riverwalk/dock		X	
Review/schedule major repairs to brick sidewalk areas		X	
Clean up and organize PW Annex		X	
Main Office Reorganization - Town Hall	X		
Obtain Quote for Street Maintenance FY22 Capital Projects		X	
Obtain Quote for concrete repairs on West Locust		X	
Address icing issues along Mill Street - Daily coordination with VDOT to treat as needed		X	
Met with VDOT regarding water issue on Mill Street		X	
Building maintenance - light repairs at town hall	X		
Coordinate Intersection Improvement project		X	
Coordinate spring flower planting with landscaper		X	
Install donated bench in River Mill Park		X	
Spring Cleaning in Historic District		X	

Project	Not Started	In Progress	Completed
Order and install new pile caps at dock		X	
Paint electric/water pedestals at dock			X
Order/replace signs at dock	X		
Replace/repair dock payment box at dock	X		
General repairs at RMP Bathroom - lights, baseboard	X		
Clean and touch up paint on Gaslights		X	
Remove wooden shelving in Town Hall			X
Install LED kits on three lights at Mamie Davis Park		X	
Repair/update signage on MDP Entry sign	X		
Replace HVAC at 200 Mill Street		X	
Replace HVAC at Town Hall		X	
Replace sewer line under Town Hall		X	
Install/repair event banners as needed		X	
Seal crack at Town Hall RE: Water issues			X
Remove brush from Wash Street Cemetary (courtesy)			X
Replant flower pot on Union			X
Work with Eagle Scout on Fishing Line waste receptacle project		X	
Paint floor of storage area at Town Hall		X	
Install shelving in storage area at Town Hall		X	
Remove fallen tree blocking stormwater pipe at 313 Mill Street			X

Brick Installation and Maintenance Projects - Below is the status of the replacement and maintenance of sidewalk bricks:

Location	Not Started	In Progress	Completed	Notes
Corner by Post Office		X		Contract awarded – work to be performed by early May 2022
206 Mill Street		X		Contract awarded – work to be performed by early May 2022
Town Hall	X			FY2023
203 Union Street		X		Contract awarded – work to be performed by early May 2022
Corner of Center/Washington		X		Contract awarded – work to be performed by early May 2022
304 Mill Street (Ballywhack)		X		Contract awarded – work to be performed by early May 2022
Minor Brick Repairs - Throughout Historic District		X		Repairs and replacement ongoing; loose and missing brick repairs occurring in March/April 2021 - Ongoing

Events and Community Development

- **RiverFest & Craft Show, June 4 & 5, 2022:** This event will be a dynamic new craft show that celebrates the historic town's natural beauty along the Occoquan River. This year, we are expanding our traditional spring format by adding on-the-water activities, a beer and wine garden and concert series, and bringing a strong focus on environmental protections with Conservation Alley.

Highlights include:

- RiverFest will host 200+ vendors in the streets of the historic district. Artisans, crafters, local merchants, and food vendors will line Mill, Washington, and Union streets.
- River Mill Park, with its spectacular views of the river, will be the venue for our RiverFest concerts and beer and wine garden.
- Families and scout troops will enjoy the kid-friendly and educational Junior Passport program in Conservation Alley in the center of town. Conservation vendors will discuss their trade and provide hands-on activities for a Junior Passport program.
- There will be opportunities during RiverFest to get out on the water with kayak and stand-up paddleboard availability all weekend. Spectators can watch SUP and kayak races on Saturday and a river clean-up is also planned for both days.

Those interested in volunteering for RiverFest & Craft Show should email the Events Director at jlittle@occoquanva.gov.

- **Peep Week, April 12-17:** In collaboration with the Occoquan Business Partners' annual Peep Show, the Town will host for the 5th year the popular annual Community Peep Contest. Voting by the public takes place April 12-16 at Town Hall. [More information](#).
 - **Fun For Lil Peeps:** New this year is Fun For Lil' Peeps, a community oriented egg hunt in River Mill Park on Saturday, April 16, beginning at 11am. Participants will have the opportunity to hunt for eggs, do craft simple Easter projects, visit a snack table, obtain a swag bag, and meet the Easter Bunny. [More information](#). **Egg hunt activity is sold out, but children are invited to meet the Easter Bunny after 11:30am.**
- **FOTO Clean Up:** This spring's Friends of the Occoquan River Clean Up is Saturday, April 9, from 9 am to 12 pm. Volunteers will meet at Town Hall to collect supplies.

**Town of Occoquan - Permit Report
March 2022**

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Finalize Date
ELE2021-04934	124 COMMERCE ST	INSTALLATION OF GENERATOR	Electrical	Pending	C - Accessory Structure		
BLD2019-03820	206 COMMERCE ST	ANTENNA MOUNTED TO POLE IN TOWN OF OCCOQUAN.	Building	Pending	C - Alteration/Repair		
BLD2022-02702	312 COMMERCE ST	150 lf floor joist ,390 lf floor joist replacement , 48 lf sil plate, 375 sf sub floor replacement , 3 intellijacks	Building	Issued	R - Alteration/Repair	02/02/2022	
BLD2019-00547	402 FORTRESS WAY	KITCHEN RENOVATION TO CONDO UNIT - FOR KITCHEN CABINETS, CUTTING INTO THE CEILING TO INSTALL LIGHTS	Building	Issued	C - Alteration/Repair	07/30/2018	
ELE2022-04351	406 FORTRESS WAY	ALTERATION/REPAIRS TO REPLACE 200A TO 200A SUBPANEL, "LIKE FOR LIKE" OLD PANEL SHOULD BE ONSITE FOR COMPARISON.	Electrical	Issued	C - Alteration/Repair	03/16/2022	
BLD2021-07195	459 FORTRESS WAY	Installation of a new timber retaining wall with 6 x 6 pressure treated lumber. Inclusive of backfill and compact excavated areas with finished grade sloped and the installation of a new foundation drainage system and new clean stone.	Building	Issued	C - Retaining Wall	11/05/2021	
GAS2019-00432	270 GASLIGHT LANDING CT	ALTERATION/REPAIRS TO REPLACE HVAC UNIT AND FURNACE LIKE FOR LIKE	Gas	Issued	C - Alteration/Repair	09/20/2018	
ELE2022-02892	115 MILL ST	This project consists of upgrading the existing SCADA System (Data Acquisition) and Radio System at the existing L-73 Lift Station which is owned by the Prince William County Service Authority. The work involves removing the Existing Scada Cabinet and installing a new one and providing a few new security devices such as Camera's and door card readers for identification. This installation only involves electrical work. I have discussed this project with Zoning and Land Development and both have said since this is an existing commercial building that they do no need to review.	Electrical	Issued	C - Alteration/Repair	01/11/2022	
ELE2022-03957	200 MILL ST	TENANT LAYOUT FOR MILL STREET BEER GARDEN IN THE TOWN OF OCCOQUAN.	Electrical	Pending	C - Tenant Layout		
ELE2022-03957	200 MILL ST	TENANT LAYOUT FOR MILL STREET BEER GARDEN IN THE TOWN OF OCCOQUAN.	Electrical	Pending	C - Tenant Layout		
MEC2022-01673	200 MILL ST	TENANT LAYOUT FOR MILL STREET BEER GARDEN IN THE TOWN OF OCCOQUAN.	Mechanical	Pending	C - Tenant Layout		
MEC2022-01673	200 MILL ST	TENANT LAYOUT FOR MILL STREET BEER GARDEN IN THE TOWN OF OCCOQUAN.	Mechanical	Pending	C - Tenant Layout		
MEC2022-01674	200 MILL ST	TENANT LAYOUT FOR MILL STREET BEER GARDEN IN THE TOWN OF OCCOQUAN.	Mechanical	Pending	C - Tenant Layout		
MEC2022-01674	200 MILL ST	TENANT LAYOUT FOR MILL STREET BEER GARDEN IN THE TOWN OF OCCOQUAN.	Mechanical	Pending	C - Tenant Layout		
PLB2022-01611	200 MILL ST	TENANT LAYOUT FOR MILL STREET BEER GARDEN IN THE TOWN OF OCCOQUAN.	Plumbing	Pending	C - Tenant Layout		
PLB2022-01611	200 MILL ST	TENANT LAYOUT FOR MILL STREET BEER GARDEN IN THE TOWN OF OCCOQUAN.	Plumbing	Pending	C - Tenant Layout		
PLB2020-00752	201 MILL ST	CAPPING THE WATER SERVICE	Plumbing	Issued	C - Alteration/Repair	10/01/2019	
BLD2018-04471	313 MILL ST	PARTIAL ROOF REPAIR DUE TO WATER DAMAGE - SEE PSTD2018-00224	Building	Issued	C - Alteration/Repair	02/23/2018	
BLD2022-04172	406 MILL ST	Pergola encompassing back patio. with removeable vinyl sides and top for inclement weather.	Building	Pending	C - Accessory Structure		
ELE2022-00482	415 MILL ST	TLO FOR POPPS	Electrical	Pending	C - Tenant Layout		
MEC2021-02381	415 MILL ST	TLO FOR POPPS	Mechanical	Pending	C - Tenant Layout		
PLB2022-00959	415 MILL ST	TLO FOR POPPS	Plumbing	Pending	C - Tenant Layout		
BLD2022-01583	416 MILL ST	(SEE BCE2021-00265) Construct a covered roof over existing patio. Located in the rear of the existing restaurant bldg and does not increase the previous occupant load.	Building	Issued	C - Tenant Layout	03/01/2022	
ELE2022-03572	416 MILL ST	(SEE BCE2021-00265) Construct a covered roof over existing patio. Located in the rear of the existing restaurant bldg and does not increase the previous occupant load.	Electrical	Pending	C - Tenant Layout		
ELE2022-03572	416 MILL ST	(SEE BCE2021-00265) Construct a covered roof over existing patio. Located in the rear of the existing restaurant bldg and does not increase the previous occupant load.	Electrical	Pending	C - Tenant Layout		
BLD2018-02984	430 MILL ST	*SEE NOTE* KIELY RESIDENCE - LOT SPECIFIC SFD - PRIOR TO BEGINNING CONSTRUCTION ON NEW SFD, BLD2019-04458 (SHEETING & SHORING) MUST HAVE AN APPROVED FINAL INSPECTION/BE COMPLETED.	Building	Finald	R - New Single Family Dwelling	04/15/2019	02/07/2022
ELE2020-04159	430 MILL ST	HOUSE ELECTRICAL	Electrical	Finald	R - New Single Family Dwelling	04/07/2020	02/07/2022
GAS2021-00349	430 MILL ST	1 gas fireplace , 1 gas range , 1 gas stove , 1 gas water heater	Gas	Finald	R - New Single Family Dwelling	08/31/2020	02/07/2022
MEC2021-00002	430 MILL ST	DUCTWORK AND HVAC INSTALL	Mechanical	Finald	R - New Single Family Dwelling	08/26/2020	02/07/2022
PLB2021-00536	430 MILL ST	water and sewer	Plumbing	Finald	R - New Single Family Dwelling	08/31/2020	02/07/2022
ELE2022-02501	440 MILL ST	//GBC correct crawl space wiring	Electrical	Issued	C - Alteration/Repair	11/18/2021	
BLD2022-02422	458 MILL ST	TEMPORARY INFLATABLE MOVIE SCREEN - EVENT ON 10/23/2021	Building	Issued	C - Temporary Activity	10/22/2021	
ELE2022-02893	458 MILL ST	SCADA Cabinet UPGRADE - A/R	Electrical	Issued	C - Alteration/Repair	01/12/2022	
BLD2020-02847	1604 MOUNT HIGH ST	20 X 24 FRONT YARD OPEN DECK W 2 X 4 STAIRS BUILT TO GRADE	Building	Issued	R - Addition	11/26/2019	
BLD2014-05879	1441 OCCOQUAN HEIGHTS CT	DECK	Building	Issued	R - Addition	04/25/2014	
BLD2022-00079	109 POPLAR LN	CUSTOM SFD	Building	Issued	R - New Single Family Dwelling	03/01/2022	
BLD2018-04392	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 1551 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2019-04221	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 1551 RIVERTOWN PLACE	Electrical	Issued	R - New Townhouse	04/29/2019	
GAS2019-00596	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 1551 RIVERTOWN PLACE	Gas	Issued	R - New Townhouse	10/22/2018	
MEC2019-01181	1551 RIVERTOWN PL	INSTALL NEW HVAC	Mechanical	Issued	R - New Townhouse	11/20/2018	
PLB2019-00861	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 1551 RIVERTOWN PLACE	Plumbing	Issued	R - New Townhouse	10/22/2018	
BLD2018-04390	1552 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 6 1552 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2022-01737	1552 RIVERTOWN PL	INSTALL 200 AMPS SERVICE / LTS/SW/SMOUNTS	Electrical	Issued	R - New Townhouse	10/11/2021	

**Town of Occoquan - Permit Report
March 2022**

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Finalize Date
GAS2022-00768	1552 RIVERTOWN PL	ROUGH IN GAS LINES FOR NEW CONSTRUCTION**FIREPLACE REMOVED 1/26/2022 SEE ATTACHED EMAIL	Gas	Issued	R - New Townhouse	10/15/2021	
MEC2022-00972	1552 RIVERTOWN PL	Installation of A/C, gas furnace, and ductwork	Mechanical	Issued	R - New Townhouse	10/25/2021	
PLB2022-00888	1552 RIVERTOWN PL	ROUGH IN PLUMBING FOR NEW CONSTRUCTION**ADD ON WATER SERVICE SEE ATTACHED EMAIL**	Plumbing	Issued	R - New Townhouse	10/15/2021	
BLD2018-04393	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 1553 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2019-04222	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 1553 RIVERTOWN PLACE	Electrical	Issued	R - New Townhouse	04/29/2019	
GAS2019-00598	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 1553 RIVERTOWN PLACE	Gas	Issued	R - New Townhouse	10/22/2018	
MEC2019-01193	1553 RIVERTOWN PL	INSTALL NEW HVAC SYSTEM	Mechanical	Issued	R - New Townhouse	11/21/2018	
PLB2019-00864	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 1553 RIVERTOWN PLACE	Plumbing	Issued	R - New Townhouse	10/22/2018	
BLD2018-04376	1554 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 5 1554 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2022-01736	1554 RIVERTOWN PL	INSTALL 200 AMPS SERVICE SW/ SM / OUTLETS / LTS	Electrical	Issued	R - New Townhouse	10/11/2021	
GAS2022-00767	1554 RIVERTOWN PL	ROUGH IN GAS LINES FOR NEW CONSTRUCTION**FIREPLACE REMOVED 1/26/2022 SEE ATTACHED EMAIL	Gas	Issued	R - New Townhouse	10/15/2021	
MEC2022-00971	1554 RIVERTOWN PL	Installation of new A/C, gas furnace, and ductwork	Mechanical	Issued	R - New Townhouse	10/25/2021	
PLB2022-00887	1554 RIVERTOWN PL	ROUGH IN PLUMBING FOR NEW CONSTRUCTION**ADD ON WATER SERVICE SEE ATTACHED EMAIL	Plumbing	Issued	R - New Townhouse	10/15/2021	
BLD2018-04394	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 1555 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2019-04220	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 1555 RIVERTOWN PLACE	Electrical	Issued	R - New Townhouse	04/29/2019	
GAS2019-00599	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 1555 RIVERTOWN PLACE	Gas	Issued	R - New Townhouse	10/22/2018	
MEC2019-01194	1555 RIVERTOWN PL	INSTALL NEW HVAC	Mechanical	Issued	R - New Townhouse	11/21/2018	
PLB2019-00865	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 1555 RIVERTOWN PLACE	Plumbing	Issued	R - New Townhouse	10/22/2018	
BLD2018-04375	1556 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 4 1556 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2022-01735	1556 RIVERTOWN PL	Install 200 amps service / outlet's / SW/ SM/ LTS by code	Electrical	Issued	R - New Townhouse	10/11/2021	
GAS2022-00766	1556 RIVERTOWN PL	ROUGH IN GAS LINES FOR NEW CONSTRUCTION**FIREPLACE REMOVED 1/26/2022 SEE ATTACHED EMAIL	Gas	Issued	R - New Townhouse	10/15/2021	
MEC2022-00973	1556 RIVERTOWN PL	Installation of A.C, gas furnace, and ductwork	Mechanical	Issued	R - New Townhouse	10/25/2021	
PLB2022-00886	1556 RIVERTOWN PL	rough in plumbing for new construction	Plumbing	Issued	R - New Townhouse	10/15/2021	
BLD2018-04008	199 UNION ST	UPDATE AND REPAIR BATHROOM IN RENTAL APARTMENT.***MUST PAY BCE ADMIN FEE***	Building	Issued	C - Alteration/Repair	01/31/2018	
PLB2018-01862	199 UNION ST	INTERIOR RENOVATIONS TO LAUNDRY AND BATHROOM IN RESIDENCE ON THE SECOND FLOOR. 1 BATH, 1 DRAIN.	Plumbing	Issued	C - Alteration/Repair	01/31/2018	
BLD2020-03981	202 UNION ST	ALTERATION/REPAIRS TO DEMO SPACE FOR FUTURE TENANT	Building	Issued	Demolition	02/12/2020	
BLD2020-04453	202 UNION ST	SALAD SALOON - TLO	Building	Pending	C - Tenant Layout		
MEC2020-02163	202 UNION ST	SALAD SALOON - TLO	Mechanical	Pending	C - Tenant Layout		
PLB2021-00690	202 UNION ST	SALAD SALOON - TLO	Plumbing	Pending	C - Tenant Layout		
BLD2021-08525	206 UNION ST	Converting existing retails space to new Nail Salon.	Building	Issued	C - Tenant Layout	11/15/2021	
MEC2022-01112	206 UNION ST	Converting existing retails space to new Nail Salon.	Mechanical	Issued	C - Tenant Layout	01/14/2022	
PLB2022-01118	206 UNION ST	Converting existing retails space to new Nail Salon.	Plumbing	Issued	C - Tenant Layout	03/01/2022	
PLB2018-02373	411 UNION ST	CONVERTING FROM SEPTIC TO PUBLIC SEWER	Plumbing	Issued	R - Alteration/Repair	03/23/2018	
BLD2022-01979	105 VISTA KNOLL DR	12' X 20' OPEN DECK NO STAIRS - PER PLANS	Building	Issued	R - Addition	09/29/2021	
BLD2022-04194	111 VISTA KNOLL DR	INSTALL A DECK 20' X 10' - NO STAIRS.	Building	Finald	R - Addition	01/25/2022	03/14/2022
BLD2021-00870	127 WASHINGTON ST	A/R TO ADD BEDROOM & QUARTERS ABOVE KITCHEN	Building	Issued	R - Alteration/Repair	11/09/2020	
ELE2021-02202	127 WASHINGTON ST	Add bedroom and quarters above kitchen	Electrical	Issued	R - Alteration/Repair	11/15/2020	
MEC2021-01175	127 WASHINGTON ST	install heat pump with duct work	Mechanical	Issued	R - Alteration/Repair	11/20/2020	
PLB2021-02432	127 WASHINGTON ST	A/R TO ADD BEDROOM & QUARTERS ABOVE KITCHEN	Plumbing	Issued	R - Alteration/Repair	04/01/2021	
BLD2019-00785	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 TO REMOVE BEDROOM - SPACE WILL BE A REC ROOM NOW, WINDOW THAT WAS INSTALLED DID NOT REQUIRE MODIFICATION OF WINDOW OPENING* INSTALLING INTERIOR DOOR AND WET BAR- NON STRUCTURAL WORK	Building	Issued	R - Alteration/Repair	08/13/2018	
ELE2019-00643	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 TO REMOVE BEDROOM - SPACE WILL BE A REC ROOM NOW, WINDOW THAT WAS INSTALLED DID NOT REQUIRE MODIFICATION OF WINDOW OPENING* INSTALLING INTERIOR DOOR AND WET BAR- NON STRUCTURAL WORK	Electrical	Issued	R - Alteration/Repair	08/16/2018	
PLB2019-00381	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 TO REMOVE BEDROOM - SPACE WILL BE A REC ROOM NOW, WINDOW THAT WAS INSTALLED DID NOT REQUIRE MODIFICATION OF WINDOW OPENING* INSTALLING INTERIOR DOOR AND WET BAR- NON STRUCTURAL WORK	Plumbing	Issued	R - Alteration/Repair	08/15/2018	
PLB2021-00738	142 WASHINGTON ST	WATER SERVICE REPLACEMENT	Plumbing	Issued	R - Alteration/Repair	09/23/2020	
BLD2022-01142	202 WASHINGTON ST	(SEE BCE2022-00035) NEW TENANT BUILD-OUT FOR A NAIL SPA	Building	Finald	C - Tenant Layout	09/28/2021	02/09/2022
ELE2022-01465	202 WASHINGTON ST	(SEE BCE2022-00035) NEW TENANT BUILD-OUT FOR A NAIL SPA	Electrical	Finald	C - Tenant Layout	11/22/2021	01/28/2022
MEC2022-00655	202 WASHINGTON ST	(SEE BCE2022-00035) NEW TENANT BUILD-OUT FOR A NAIL SPA	Mechanical	Finald	C - Tenant Layout	11/22/2021	01/27/2022
PLB2022-00561	202 WASHINGTON ST	(SEE BCE2022-00035) NEW TENANT BUILD-OUT FOR A NAIL SPA	Plumbing	Finald	C - Tenant Layout	11/22/2021	01/28/2022

**Town of Occoquan - Permit Report
March 2022**

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Finalize Date
ELE2022-03991	206 WASHINGTON ST	Change of Use of an existing residential space to an office. Demo and new construction of existing space to follow update ADA requirements. Mixed use.	Electrical	Pending	C - Tenant Layout		
ELE2022-03991	206 WASHINGTON ST	Change of Use of an existing residential space to an office. Demo and new construction of existing space to follow update ADA requirements. Mixed use.	Electrical	Pending	C - Tenant Layout		
MEC2022-01565	206 WASHINGTON ST	Change of Use of an existing residential space to an office. Demo and new construction of existing space to follow update ADA requirements. Mixed use.	Mechanical	Pending	C - Tenant Layout		
PLB2022-01433	206 WASHINGTON ST	Change of Use of an existing residential space to an office. Demo and new construction of existing space to follow update ADA requirements. Mixed use.	Plumbing	Pending	C - Tenant Layout		
PLB2022-01433	206 WASHINGTON ST	Change of Use of an existing residential space to an office. Demo and new construction of existing space to follow update ADA requirements. Mixed use.	Plumbing	Pending	C - Tenant Layout		
PLB2018-01956	103 WEST LOCUST ST	Water Service	Plumbing	Issued	R - Alteration/Repair	02/08/2018	

Permit Issued Over 2 Years Old
Development Project

END OF REPORT

TOWN OF OCCOQUAN
FINANCIAL STATEMENTS
AS OF 2/28/2022

	As of 7/1/21 (unaudited)	<i>Unaudited Income/ (Loss) YTD FY22</i>	As of 2/28/2022
Nonspendable:			
Inventory	\$ -	\$ -	\$ -
Restricted:			
Mamie Davis Fund	\$ 100,000	\$ -	\$ 100,000
Assigned:			
Operating Reserves	\$ 156,594	\$ -	\$ 156,594
Events Fund	\$ 25,000	\$ 55,964	\$ 80,964
CIP Fund	\$ 148,900	\$ (9,318)	\$ 139,582
Financing Proceeds	\$ 25,271	\$ -	\$ 25,271
Public Safety Grant Fund	\$ 32,207	\$ 11,210	\$ 43,416
CARES Act fund	\$ 8,579	\$ (8,579)	\$ -
ARPA Fund	474,780	\$ -	\$ 474,780
Mamie Davis Park Fund	\$ 11,110	\$ 255	\$ 11,365
PEG Fund	\$ 1,562	\$ -	\$ 1,562
Public Art Fund	500	\$ -	\$ 500
Subtotal Assigned:	\$ 884,503	\$ 49,532	\$ 934,035
Unassigned	\$ -	\$ 148,521	\$ 148,521
Total Available Fund Balance:	\$ 984,503	\$ 198,053	\$ 1,182,556

The Town of Occoquan
Profit & Loss Budget Performance
July 2021 through February 2022

	Jul '21 - Feb 22	Annual Budget	Over/(Under) Budget	% of Budget
Ordinary Income/Expense				
Income				
40000 · TAXES				
40010 · Real Estate	\$ 246,239	\$ 249,189	\$ (2,950)	99%
40020 · Meals Tax	\$ 166,078	\$ 228,000	\$ (61,922)	73%
40030 · Sales Tax	\$ 23,069	\$ 30,000	\$ (6,931)	77%
40040 · Utility Tax	\$ 19,942	\$ 28,800	\$ (8,858)	69%
40050 · Communications Tax	\$ 22,255	\$ 35,000	\$ (12,745)	64%
40060 · Transient Occupancy Tax	\$ 9,287	\$ 11,200	\$ (1,913)	83%
Total 40000 · TAXES	\$ 486,870	\$ 582,189	\$ (95,319)	84%
41000 · FEES/LICENSES				
41010 · Vehicle License	\$ 9,667	\$ 12,000	\$ (2,333)	81%
41020 · Business Licenses	\$ 47,218	\$ 68,800	\$ (21,582)	69%
41030 · Late Fees	\$ 460	\$ 2,500	\$ (2,040)	18%
41040 · FINES (PUBLIC SAFETY)				
41170 · E-Summons	\$ 7,232	\$ 7,000	\$ 232	103%
41040 · FINES (PUBLIC SAFETY) - Other	\$ 237,359	\$ 297,580	\$ (60,221)	80%
Total 41040 · FINES (PUBLIC SAFETY)	\$ 244,592	\$ 304,580	\$ (59,988)	80%
41100 · Administrative Fees	\$ 4,243	\$ 5,000	\$ (757)	85%
41120 · Service Revenue - Eng	\$ 6,790	\$ 10,000	\$ (3,210)	68%
41130 · Service Revenue - Legal	\$ 4,820	\$ 10,000	\$ (5,180)	48%
41140 · Service Revenue - Other	\$ 450	\$ 1,000	\$ (550)	45%
41000 · FEES/LICENSES - Other	\$ -	\$ 2,500	\$ (2,500)	0%
Total 41000 · FEES/LICENSES	\$ 319,131	\$ 416,380	\$ (97,249)	77%
42000 · GRANTS				
42010 · LITTER	\$ 1,329	\$ 1,050	\$ 279	127%
42020 · HB 599	\$ 11,844	\$ 23,686	\$ (11,842)	50%
42021 · NHSTA (DMV)				
Total 42021 · NHSTA (DMV)	\$ 5,804	\$ 14,594	\$ (8,790)	40%
42080 · CARES Act Funds	\$ 8,807			
Total 42000 · GRANTS	\$ 27,784	\$ 39,330	\$ (11,546)	71%
43000 · RENTALS				
43010 · Town Hall	\$ -	\$ 500	\$ (500)	0%
43020 · River Mill Park	\$ 1,950	\$ 2,000	\$ (50)	98%
43030 · Mamie Davis Park Rental	\$ 550	\$ 2,000	\$ (1,450)	28%
43040 · 200 Mill Street Lease	\$ -	\$ 7,500	\$ (7,500)	0%
Total 43000 · RENTALS	\$ 2,500	\$ 12,000	\$ (9,500)	21%
44000 · OTHER				
44010 · General Fund Interest	\$ 659	\$ 120	\$ 539	549%
44060 · Other	\$ 1,770	\$ 1,000	\$ 770	177%
Total 44000 · OTHER	\$ 2,449	\$ 1,120	\$ 1,329	219%
Total Income	\$ 838,735	\$ 1,051,019	\$ (212,284)	80%
Gross Profit	\$ 838,735	\$ 1,051,019	\$ (212,284)	80%
Expense				
Total 60000 · PERSONNEL SERVICES	\$ 388,949	\$ 633,918	\$ (244,969)	61%
Total 60400 · PROFESSIONAL SERVICES	\$ 84,657	\$ 156,770	\$ (72,113)	54%
Total 60800 · INFORMATION TECH SERV	\$ 18,628	\$ 27,205	\$ (8,577)	68%
Total 61200 · MATERIALS AND SUPPLIES	\$ 24,908	\$ 20,008	\$ 4,900	124%
Total 61600 · OPERATIONAL SERVICES	\$ 6,281	\$ 7,500	\$ (1,219)	84%
Total 62000 · CONTRACTS	\$ 72,229	\$ 82,000	\$ (9,771)	88%
Total 62400 · INSURANCE	\$ 24,284	\$ 28,000	\$ (3,716)	87%
Total 62800 · PUBLIC INFORMATION	\$ 1,988	\$ 2,500	\$ (512)	80%
Total 63200 · ADVERTISING	\$ 2,098	\$ 2,000	\$ 98	105%
Total 63600 · TRAINING AND TRAVEL	\$ 6,981	\$ 16,450	\$ (9,469)	42%
Total 64000 · VEHICLES AND EQUIPMENT	\$ 14,960	\$ 23,530	\$ (8,570)	64%

The Town of Occoquan
Profit & Loss Budget Performance
July 2021 through February 2022

	Jul '21 - Feb 22	Annual Budget	Over/(Under) Budget	% of Budget
Total 64400 · SEASONAL	\$ 5,986	\$ 3,000	\$ 2,986	200%
64700 · FACILITIES EXPENSE				
Total 64800 · TOWN HALL	\$ 10,545	\$ 10,690	\$ (145)	99%
Total 65200 · MILL HOUSE MUSEUM	\$ 275	\$ 6,090	\$ (5,815)	5%
Total 65600 · 200 MILL ST	\$ 452	\$ -		
Total 66000 · ANNEX / MAINTENANCE YARD	\$ 3,190	\$ 5,910	\$ (2,720)	54%
Total 66400 · MILL ST STORAGE FACILITY	\$ -	\$ 250	\$ (250)	0%
Total 66800 · RIVER MILL PARK & FACIL	\$ 10,902	\$ 14,970	\$ (4,068)	73%
Total 67200* · MAMIE DAVIS PARK & RIVERWALK	\$ 1,491	\$ 2,650	\$ (1,159)	56%
Total 68400* · STREETS AND SIDEWALKS	\$ 277	\$ 700	\$ (423)	40%
Total 68800 · HISTORIC DISTRICT	\$ 8,632	\$ 14,100	\$ (5,468)	61%
Total 64700 · FACILITIES EXPENSE	\$ 35,779	\$ 55,360	\$ (19,581)	65%
Total Expense	\$ 687,738	\$ 1,058,241	\$ (370,503)	65%
Net Ordinary Income	\$ 150,997	\$ (7,222)	\$ 158,219	-2091%
General Fund Net Income	\$ 151,152	\$ (7,222)	\$ 158,374	-2093%

CIP FUND

Ordinary Income/Expense				
Income				
42000 · GRANTS	\$ -	\$ 5,000	\$ (5,000)	0%
Net Ordinary Income	\$ -	\$ 5,000	\$ (5,000)	0%
Other Income/Expense				
Other Expense				
70000 · CIP EXPENSE				
70001 · Streetscape	\$ -	\$ 10,000	\$ (10,000)	0%
70002 · Intersection Improvements	\$ -	\$ 3,400	\$ (3,400)	0%
70003 · Street Maintenance	\$ -	\$ 83,000	\$ (83,000)	0%
70004 · Sidewalk Maintenance	\$ -	\$ 12,000	\$ (12,000)	0%
70005 · Building Maintenance	\$ -	\$ 5,000	\$ (5,000)	0%
70006 · Stormwater Management	\$ -	\$ 10,000	\$ (10,000)	0%
70014 · Timed Parking Equipment	\$ -	\$ 5,500	\$ (5,500)	0%
70015 · Gaslight Banner Replacement	\$ -	\$ 5,000	\$ (5,000)	0%
72006 · Riverwalk	\$ 455	\$ 10,000	\$ (9,545)	5%
74001 · Vehicles & Equipment	\$ -	\$ 5,000	\$ (5,000)	0%
74002 · In-Vehicle Laptop Replace	\$ -	\$ 4,000	\$ (4,000)	0%
74003 · Body Armor	\$ -	\$ 1,000	\$ (1,000)	0%
74007 · LIDAR Speed Equipment	\$ 2,236	\$ -		
76001 · Computer Upgrades	\$ 657	\$ -		
CARES Funds: 76005 · A/V Equipment - Town Hall	\$ 5,970	\$ -		
Total 70000 · CIP EXPENSE	\$ 9,318	\$ 153,900	\$ (144,582)	6%
Net Income	\$ (9,318)	\$ (148,900)	\$ 139,582	6%

EVENTS FUND

Ordinary Income/Expense				
Income				
44000 · OTHER				
44020 · Events Fund Interest	\$ 548	\$ 3,000	\$ (2,452)	18%
44040 · Bricks Revenue	\$ 982	\$ 3,000	\$ (2,018)	33%
Total 44000 · OTHER	\$ 1,568	\$ 6,000	\$ (4,432)	26%
47000 · EVENTS REVENUE				
47010 · Sponsorships	\$ 6,088	\$ 10,000	\$ (3,912)	61%
47020 · Booth Rentals	\$ 110,703	\$ 170,600	\$ (59,897)	65%
47021 · Ticket Sales				
Total 47021 · Ticket Sales	\$ 10,115	\$ 9,590	\$ 525	105%
47030 · Shuttle Fees	\$ 28,268	\$ 53,000	\$ (24,732)	53%

The Town of Occoquan
Profit & Loss Budget Performance
July 2021 through February 2022

	Jul '21 - Feb 22	Annual Budget	Over/(Under) Budget	% of Budget
47040 · Parking Space Sales	\$ 5,925	\$ 6,000	\$ (75)	99%
47060 · Merchandise	\$ 805	\$ 1,000	\$ (195)	81%
47081 · Alcohol	\$ -	\$ 3,600	\$ (3,600)	0%
Total 47000 · EVENTS REVENUE	\$ 161,903	\$ 253,790	\$ (91,887)	64%
Total Income	\$ 167,131	\$ 259,790	\$ (92,659)	64%
Gross Profit	\$ 167,131	\$ 259,790	\$ (92,659)	64%
Expense				
Total 60000 · PERSONNEL SERVICES	\$ 40,070	\$ 62,892	\$ (22,822)	64%
Total 60400 · PROFESSIONAL SERVICES	\$ 8,588	\$ 10,000	\$ (1,412)	86%
Total 61200 · MATERIALS AND SUPPLIES	\$ 2,896	\$ 5,150	\$ (2,254)	56%
Total 62000 · CONTRACTS	\$ 32,100	\$ 66,700	\$ (34,600)	48%
Total 63200 · ADVERTISING	\$ 10,810	\$ 19,000	\$ (8,190)	57%
Total 64700 · FACILITIES EXPENSE	\$ 346	\$ 1,000	\$ (655)	35%
Total 69200 · SPECIAL EVENTS	\$ 15,565	\$ 12,700	\$ 2,865	123%
Total Expense	\$ 111,167	\$ 177,442	\$ (66,275)	63%
Net Ordinary Income	\$ 55,964	\$ 82,348	\$ (26,384)	68%
Net Income	\$ 55,964	\$ 82,348	\$ (26,384)	68%
MAMIE DAVIS PARK				
Ordinary Income/Expense				
Income				
44000 · OTHER				
44030 · Mamie Davis Park Interest	\$ 255	\$ 500	\$ (245)	51%
Total 44000 · OTHER	\$ 255	\$ 500	\$ (245)	51%
Total Income	\$ 255	\$ 500	\$ (245)	51%
Other Expense				
70000 · CIP EXPENSE				
72005 · Mamie Davis Park Renovations	\$ -	\$ 2,000	\$ (2,000)	0%
Total Other Expense	\$ -	\$ 2,000	\$ (2,000)	0%
Net Other Income	\$ -	\$ (2,000)	\$ 2,000	0%
Net Income	\$ 255	\$ (1,500)	\$ 1,755	-17%
Total Net Income/Loss (All Funds)	\$ 198,053	\$ (75,274)	\$ 273,327	-263%

The Town of Occoquan
Balance Sheet Prev Year Comparison
As of February 28, 2022

	Feb 28, 22	Feb 28, 21	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
10001 - Petty Cash - Operating	100.00	100.00	0.00
10020 - Sun Trust Operating 0438	0.00	4,717.98	-4,717.98
10022 - Operating Account 0058	191,295.81	191,223.11	72.70
10024 - Reserves MM	200,083.30	0.00	200,083.30
10029 - Events Fund - Checking 3126	77,709.19	0.00	77,709.19
10030 - Events Fund - Checking B&H	0.00	8,901.07	-8,901.07
10031 - Events Fund CD - B&H	0.00	200,000.00	-200,000.00
10033 - Events Fund - Paypal	11,335.37	9,471.81	1,863.56
10034 - VIP - Investment Pool			
25-0001 - VIP 1-3 Year Bond Fund 0001	221.70	0.00	221.70
25-5001 - VIP NAV Liquidity Pool 5001	474,998.34	21,523.56	453,474.78
Total 10034 - VIP - Investment Pool	475,220.04	21,523.56	453,696.48
10080 - Mamie Davis Checking - B&H	0.00	6,559.76	-6,559.76
10081 - Mamie Davis CD - B&H	0.00	100,000.00	-100,000.00
10082 - Mamie Davis Savings	6,979.16	0.00	6,979.16
10083 - Mamie Davis CD	100,000.00	0.00	100,000.00
10091 - Bricks - PayPal	751.34	1,519.26	-767.92
10094 - Event Fund - MM 5997	15,557.24	2,521.62	13,035.62
10095 - Bricks MM 2125	11,300.18	9,210.14	2,090.04
Total Checking/Savings	1,090,331.63	555,748.31	534,583.32
Accounts Receivable			
10180 - Accounts Receivable	119,191.45	82,255.48	36,935.97
Total Accounts Receivable	119,191.45	82,255.48	36,935.97
Other Current Assets			
14990 - Undeposited Funds	17,727.45	12,146.00	5,581.45
Total Other Current Assets	17,727.45	12,146.00	5,581.45
Total Current Assets	1,227,250.53	650,149.79	577,100.74
TOTAL ASSETS	1,227,250.53	650,149.79	577,100.74
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
20000 - Accounts Payable	25,435.33	82,969.73	-57,534.40
Total Accounts Payable	25,435.33	82,969.73	-57,534.40
Credit Cards			
22000 - Credit Cards			
22020 Home Depot	177.03	0.00	177.03
22010 - ExxonMobil	1,060.70	803.49	257.21
22030 - Lowe's Proservices	1,488.81	0.00	1,488.81
22040 - United Bank Credit Cards	1,895.89	9,194.24	-7,298.35
Total 22000 - Credit Cards	4,622.43	9,997.73	-5,375.30
Total Credit Cards	4,622.43	9,997.73	-5,375.30
Other Current Liabilities			
20935 - Performance Bond	4,567.50	4,567.50	0.00
20960 - Unearned Other Revenue			
20970 - Rental	1,300.00	1,000.00	300.00
20972 - Unearned CARES Act Revenue	0.00	87,194.61	-87,194.61
20973 - Unearned ARPA Revenue	474,780.38	0.00	474,780.38
Total 20960 - Unearned Other Revenue	476,080.38	88,194.61	387,885.77
20980 - Unearned R.E. Tax	8,760.01	2,038.83	6,721.18
21200 - Payroll Liabilities			
21230 - VRS Employee Contributions	8.55	-867.93	876.48
Total 21200 - Payroll Liabilities	8.55	-867.93	876.48
Total Other Current Liabilities	489,416.44	93,933.01	395,483.43
Total Current Liabilities	519,474.20	186,900.47	332,573.73
Total Liabilities			
519,474.20	186,900.47	332,573.73	
Equity			
Total Equity	707,776.33	463,249.32	244,527.01
TOTAL LIABILITIES & EQUITY	1,227,250.53	650,149.79	577,100.74

Town Attorney Report

To: Mayor and Council, Town of Occoquan

Thru: Kirstyn Jovanovich, Town Manager

From: Martin Crim, Town Attorney

Re: April 2022 Town Attorney Report

Date: March 29, 2022

NOT CONFIDENTIAL

This is a non-confidential report on matters that my office has been working on for the Town since my previous report dated March 1, 2022:

1. Worked with staff to address various land use and nuisance violations.
2. Continued to track the Town Charter bills in the General Assembly. Both SB 97 and HB 822 have passed both chambers, and the Governor's action deadline is April 11. If the Governor signs the charter, it will be effective July 1, 2022.
3. Reviewed and approved the advertisement for the Town budget public hearing.



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

9. Public Hearing	Meeting Date: April 5, 2022
9A. Public Hearing on Zoning Text Amendments to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act	

Attachments: a. Public Notice
b. Ordinance O-2022-01

Submitted by: Bruce Reese
Town Engineer

Explanation and Summary:

This is a public hearing on a proposed Ordinance bringing the Town Code into conformance with the Department of Environmental Quality's (DEQ) recommendations for implementing the Chesapeake Bay Preservation Act. This is an opportunity for the public to provide comments on the proposed amendments.

During their February 1, 2022 meeting, the Town Council referred a zoning text amendment to the Planning Commission relating to the recommendations received by DEQ.

During their February 23, 2022 meeting, the Planning Commission reviewed the Ordinance and subsequently held a public hearing on the draft Ordinance on March 22, 2022. No members of the public provided comment. After closing the public hearing, the Planning Commission recommended approval of the proposed Ordinance to the Town Council.

Background

On July 10, 2020, the Town was notified by the Department of Environmental Quality (DEQ) that the local Chesapeake Bay Preservation Act (CBPA) program, which the Town administers, was to be reviewed for compliance. The Town accommodated the CBPA by adopting the Chesapeake Bay Preservation Overlay District within the Zoning Ordinance in 1998 (then § 66-191).

Such reviews are conducted by DEQ periodically to assure compliance by the localities with the intent and letter of the CBPA. This review includes an evaluation of the Town's ordinances, a review of previously approved plans, a review of the Town's Comprehensive Plan, and an inspection of active construction sites. Since the July 2020 notice, Daniel Moore, Principal Environmental Planner with DEQ's Water Division, has conducted the required reviews and inspections. The Town was found to be in compliance with regard to plan review and site enforcement. There were, however,

suggestions for changes to the Town’s Comprehensive Plan and Zoning Ordinance (now starting at § 157.150 after the recodification).

In December 2021, the Town Council adopted changes to the Town’s Comprehensive Plan which included recommendations by Mr. Moore, who has since acknowledged those changes met his criteria for compliance.

After several iterations of changes to the Town’s Zoning Ordinance (Chapter 157, beginning at 157.150, Chesapeake Bay Preservation Overlay District), the revisions proposed with this Zoning Text Amendment will bring the Town Code into conformance with DEQ’s recommendations for compliance with the CBPA.

Staff Recommendation: Unless public comment provides a reason not to, staff recommends closing the public hearing.

Proposed/Suggested Motion(s):

“I move to close the public hearing.”

OR

“I move to continue the public hearing to MEETING DATE.”

OR

Other action Council deems appropriate.

**Town of Occoquan, Virginia
Notice of the Town Council Public Hearing to Consider**

**Proposed Amendments to the Occoquan Town Code Generally Relating to
CHESAPEAKE BAY PRESERVATION OVERLAY DISTRICT**

April 5, 2022 – 7:00 p.m.

Notice is hereby given pursuant to § 15.2-2204 of the Code of Virginia, as amended, that the Town Council of the Town of Occoquan, Virginia, a Municipal Corporation of the Commonwealth of Virginia, will hold a public hearing to consider proposed amendments to the Occoquan Town Code.

The public hearing will be for changes to the Chesapeake Bay Preservation Overlay District to incorporate changes suggested by the Virginia Department of Environmental Quality (DEQ). Among the changes to be made are (1) requiring the delineation of the 100-foot RPA boundary on all plans and plats, (2) assignment of final decision-making authority to the Planning Commission rather than the Town Council, and (3) tracking the DEQ guidance regarding exceptions and exemptions.

The proposed amendments are available for review in the Occoquan Town Hall at 314 Mill Street, Occoquan, Virginia 22125 and online at www.occoquanva.gov. The hearing is being held on April 5, 2022, at 7:00 p.m. at the Occoquan Town Hall, 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. Persons needing interpreter services for the hearing impaired and/or vision impaired must notify the Town Clerk at (703) 491-1918 or mwhite@occoquanva.gov no later than one week prior to the hearing.

The Town Council of the Town of Occoquan, Virginia

3/24 & 3/31/22

ORDINANCE # O-2022-XX

AN ORDINANCE TO AMEND SECTIONS 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, AND 157.163 OF THE TOWN CODE GENERALLY RELATING TO CHESAPEAKE BAY PRESERVATION OVERLAY DISTRICT

WHEREAS, The Virginia Department of Environmental Quality (DEQ) has suggested various changes to the Town zoning code to address compliance with the Chesapeake Bay Preservation Act (Article 2.5 of Chapter, 3.1, Title 62.1 of the Code of Virginia); and

WHEREAS, The Town Council and Planning Commission are dedicated to protecting the Chesapeake Bay from pollution.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in regular session this ___ day of _____, 2022:

1. That the Town Council hereby amends Town Code §§ 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, and 157.163 as follows:

§ 157.152 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words and terms not defined in this subchapter but defined in this chapter shall be given the meanings previously set forth.

APPLICANT. A person seeking any determination under this part or permit required by this subchapter.

BEST MANAGEMENT PRACTICE (BMPS). A practice, or a combination of practices, that is determined by a state or designated area-wide planning agency to be the most effective, practical means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.

BUFFER AREA. Natural or established vegetation managed to protect other components of a resource protection area and state waters from significant degradation due to land disturbances.

CHESAPEAKE BAY PRESERVATION AREA (CBPA). Any land designated by the Town Council pursuant to part III of the Chesapeake Bay Preservation Area

designation and management regulations, 9 VAC §§ 25-830-70 et seq. and 62.1-44.15:72. A CBPA shall consist of a resource protection area and a resource management area.

CONSTRUCTION FOOTPRINT. The area of all impervious surface including, but not limited to, buildings, roads and drives, parking areas, sidewalks, and the area necessary for construction of such improvements.

DEVELOPMENT. The construction or substantial alteration of residential, commercial, industrial, institutional, recreation, transportation, or utility facilities or structures.

DIAMETER AT BREAST HEIGHT (DBH). The diameter of a tree measured outside the bark at a point four and one-half feet above ~~height (dBA)~~ the highest point of ground at the tree's base.

DRIPLINE. A vertical projection to the ground surface from the furthest lateral extent of a tree's leaf canopy.

FLOODPLAIN. All lands that would be inundated by floodwater as a result of a storm event of a 100-year return interval.

HIGHLY ERODIBLE SOILS. Soils (excluding vegetation) with an erodibility index (EI) from sheet and rill erosion equal to or greater than eight. The erodibility index for any soil is defined as the product of the formula $RKLS/T$, where K is the soil susceptibility to water erosion in the surface layer; R is the rainfall and runoff; LS is the combined effects of slope length and steepness; and T is the soil loss tolerance.

HIGHLY PERMEABLE SOILS. Soils with a given potential to transmit water through the soil profile. **HIGHLY PERMEABLE SOILS** are identified as any soil having a permeability equal to or greater than six inches of water movement per hour in any part of the soil profile to a depth of 72 inches, permeability groups rapid and very rapid, as found in the National Soil Survey Handbook of November 1996, in the Field Office Technical Guide of the U.S. Department of Agricultural Natural Resources Conservation Service.

IMPERVIOUS COVER or IMPERVIOUS SURFACES. A surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. **IMPERVIOUS SURFACES** ~~It includes, but are not limited to,~~ roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

INTENSELY DEVELOPED AREAS (IDAs). A portion of a resource protection area or a resource management area designated by the Town Council where development is concentrated and little of the natural environment remains.

NONPOINT SOURCE POLLUTION. Pollution consisting of constituents such as sediment, nutrients, and organic and toxic substances from diffuse sources, such as runoff from agriculture and urban land development and use.

NONTIDAL WETLANDS. Wetlands other than tidal wetlands that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to § 404 of the Federal Clean Water Act, in 33 C.F.R. § 328.3b.

NOXIOUS WEEDS. Weeds that are difficult to control effectively, such as Johnson grass, kudzu, and multiflora rose.

PLAN OF DEVELOPMENT. The process for site plan or subdivision plat review to ensure compliance with 9 VAC § 25-830, and this subchapter prior to any clearing or grading of a site or the issuance of a building permit.

PRIVATE ROAD. A privately owned and maintained road designed and constructed in accordance with the State Department of Transportation standards.

PUBLIC ROAD. A publicly owned road designed in accordance with the State Department of Transportation standards.

REDEVELOPMENT. The process of developing land that is or has been previously developed, including in-fill development in intensely developed areas.

RESOURCE MANAGEMENT AREA (RMA). The component of the CBPA that is not classified as the resource protection area. RMAS include land types that, if improperly used or developed, have the potential for causing significant water quality degradation or for diminishing the functional value of the resource protection area.

RESOURCE PROTECTION AREA (RPA). The component of the CBPA comprised of lands adjacent to water bodies with perennial flow, that have an intrinsic water quality value due to the ecological and biological processes they perform or are

sensitive to impacts that may result in significant degradation to the quality of state waters. See § 157.153 for areas of applicability.

SUBSTANTIAL ALTERATION. The expansion or modification of a building or development within the resource management area that would result in land disturbance exceeding 2,500 square feet.

THIS SUBCHAPTER. Sections 157.150 through 157.163 of this code.

TIDAL SHORE or SHORE. Land contiguous to a tidal body of water between the mean low water level and the mean high water level.

TIDAL WETLANDS. Vegetated and non-vegetated wetlands as defined in VA Code § 28.2-1300.

WATER-DEPENDENT FACILITY. Development of land that cannot exist outside of the RPA and must be located on the shoreline due to the intrinsic nature of its operation. These facilities include, but are not limited to: ports; the intake and outfall structures of power plants, water treatment plants, sewage treatment plants, and storm sewers; marinas and other boat docking structures; beaches and other public water-oriented recreation areas; and fisheries or other marine resources facilities.

WETLANDS. Tidal and nontidal wetlands.

§ 157.153 AREAS OF APPLICABILITY.

(A) The Chesapeake Bay Preservation Area Overlay District shall apply to all lands identified as CBPAs as designated by the Town Council and as shown on the Occoquan Chesapeake Bay Preservation Area Map. This map, together with all explanatory matter thereon, is adopted by reference and declared to be a part of this subchapter.

(1) The resource protection area (RPA) is hereby established and shall consist of lands adjacent to water bodies with perennial flow that include:

(a) Tidal wetlands;

(b) Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;

(c) Tidal shores; and

(d) A 100-foot vegetated buffer area located adjacent to and landward of the components listed in divisions (A)(1)(a) through (A)(1)(c) above and along both sides of any water bodies with perennial flow.

(2) The RMA is composed of concentrations of the following land categories: floodplains; highly erodible soils, including steep slopes; highly permeable soils; nontidal wetlands not included in the RPA; and other lands, including all areas in the town necessary to protect the quality of state waters.

(B) The Occoquan Chesapeake Bay Preservation Area Map shows the general location of CBPAs and should be consulted by persons contemplating activities within the town prior to engaging in a regulated activity. The specific location of RPAs on a lot or parcel shall be delineated on each site or parcel as required under § 157.158.

(C) All areas within the town limits north of and including Mill Street and Poplar Lane are designated as ~~IDEAS~~IDEASIDAs. These areas shall serve as redevelopment areas. Areas so designated shall comply with all erosion and sediment control requirements and the performance standards for redevelopment in § 157.159.

§ 157.159 PERFORMANCE STANDARDS.

(A) *Purpose and intent.*

(1) The purpose and intent of this section is to prevent a net increase in nonpoint source pollution from new development and achieve a 10% reduction in nonpoint source pollution from redevelopment.

(2) The performance standards establish the means to minimize erosion and sedimentation potential, reduce land application of nutrients and toxics, and maximize rainwater infiltration. Natural ground cover, especially woody vegetation, is most effective in holding soil in place and preventing site erosion. Indigenous vegetation, with its adaptability to local conditions without the use of harmful fertilizers or pesticides, is an especially effective filter of stormwater runoff. Minimizing impervious cover enhances rainwater infiltration and effectively reduces stormwater runoff potential.

(3) Except as otherwise expressly stated in this Chapter, development in Chesapeake Bay Preservation Areas shall comply with state regulations found at 9VAC25-830-130, 9VAC25-830-140, and 9VAC25-830-150.

(B) General performance standards for development and redevelopment.

(1) Land disturbance shall be limited to the area necessary to provide for the proposed use or development.

(a) In accordance with an approved site plan, the limits of land disturbance, including clearing or grading, shall be strictly defined by the construction footprint. These limits shall be clearly shown on submitted plans and physically marked on the development site.

(b) Ingress and egress during construction shall be limited to one access point unless otherwise approved by the Zoning Administrator.

(2) Indigenous vegetation shall be preserved to the maximum extent practicable, consistent with the use or development proposed, and in accordance with the *Virginia Erosion and Sediment Control Handbook*.

(a) Existing trees over six inches ~~dbh~~ DBH shall be preserved outside the construction footprint. Diseased trees or trees weakened by age, storm, fire or other injury may be removed.

(b) Clearing shall be allowed only to provide necessary access, positive site drainage, water quality BMPs, and the installation of utilities, as approved by the Zoning Administrator.

(c) Prior to clearing or grading, suitable protective barriers, such as safety fencing, shall be erected one foot outside of the dripline of any tree or stand of trees to be preserved. These protective barriers shall remain erected throughout all phases of construction. The storage of equipment, materials, debris, or fill shall not be allowed within the area protected by the barrier.

(3) Land development shall minimize impervious cover to promote infiltration of stormwater into the ground consistent with the proposed use or development permitted.

(4) Notwithstanding any other provisions of this division (B) or exceptions or exemptions to this division (B), any land disturbing activity exceeding 2,500 square feet, including construction of all single-family houses, shall comply with the requirements of Chapter 152 of this code.

(5) All existing sewage disposal systems not requiring a VPDES permit shall be pumped out at least once every five years, in accordance with the provisions of the County Health Code. New septic tanks and private sewage plants are not permitted.

(6) For any development or redevelopment, stormwater runoff shall be controlled by the use of BMPs that achieve the following.

(a) For development, the post-development nonpoint source pollution runoff load shall not exceed the predevelopment load, based on a Chesapeake Bay watershed-wide average impervious surface cover of 16%.

(b) For any redevelopment site and for sites within ~~IDEAS~~ IDAS, the nonpoint source pollution load shall be reduced by at least 10%. The Zoning Administrator may waive or modify this requirement for redevelopment sites that originally incorporated BMPs for stormwater runoff quality control, provided the following provisions are satisfied:

1. In no case may the post-development nonpoint source pollution runoff load exceed the predevelopment load;

2. Runoff pollution loads must have been calculated and the BMPs selected for the expressed purpose of controlling nonpoint source pollution; and

3. If BMPs are structural, evidence shall be provided that facilities are currently in good working order and performing at the design levels of service. The Zoning Administrator may require a review of both the original structural design and maintenance plans to verify this provision. A new maintenance agreement may be required to ensure compliance with this division (B)(6).

(c) For redevelopment, both the pre- and post-development loadings shall be calculated by the same procedures. However, where the design data is available, the original post-development nonpoint source pollution loadings can be substituted for the existing development loadings.

(7) Prior to initiating grading or other on-site activities on any portion of a lot or parcel, all wetlands permits required by federal, state, and local laws and regulations shall be obtained and evidence of such submitted to the Zoning Administrator, in accordance with § 157.161.

(8) Clearing, land disturbance, or development exceeding 500 square feet, ~~on a recorded lot of record as of the date of this chapter amendment,~~ on slopes 20% or greater is prohibited.

(C) Buffer area requirements.

(1) To minimize the adverse effects of human activities on the other components of RPAs, state waters, and aquatic life, a 100-foot buffer area of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained if present and established where it does not exist. The delineation of the 100-foot RPA boundary for the retention of an undisturbed and vegetated 100-foot-wide buffer area with permissibility of only water dependent facilities or redevelopment shall be shown on all plans and plats.

(2) The buffer area shall be located adjacent to and landward of other RPA components and along both sides of any waterbody with perennial flow. The full buffer area shall be designated as the landward component of the RPA, in accordance with sections § 157.153 and 157.161.

(3) The 100-foot buffer area shall be deemed to achieve a 75% reduction of sediments and a 40% reduction of nutrients.

(4) The buffer area shall be maintained to meet the following additional performance standards.

(a) In order to maintain the functional value of the buffer area, indigenous vegetation may be removed only, as permitted by the Zoning Administrator, to provide for reasonable sight lines, access paths, general woodlot management practices, including those that prevent upland erosion and concentrated flows of stormwater and BMPs, as follows.

1. Trees may be pruned or removed as necessary to provide for sight lines and vistas, provided that where removed, they shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff.

2. Any path shall be constructed and surfaced to effectively control erosion.

3. Dead, diseased, or dying trees or shrubbery and noxious weeds may be removed and thinning of trees may be allowed pursuant to sound horticulture practice as recommended by the town.

4. For shoreline erosion control projects, trees and woody vegetation may be removed, necessary control techniques employed, and appropriate vegetation established to protect or stabilize the shoreline in accordance with the best available technical advice and applicable permit conditions or requirements.

(b) When the application of the buffer areas would result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, the Zoning Administrator may allow encroachments into the buffer area in accordance with § 157.161 and the following criteria.

1. Encroachments into the buffer areas shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities.

2. Where practicable, a vegetated area that will maximize water quality protection, mitigate the effects of the buffer encroachment, and is equal to the area of encroachment into the buffer area shall be established elsewhere on the lot or parcel.

3. The encroachment may not extend into the seaward 50 feet of the buffer area.

(c) Redevelopment within ~~IDEAS~~ IDAs may be exempt from the buffer area, in accordance with § 157.161. Where possible a buffer area shall be provided in order to remove pollutants and protect water quality. Any and all buffer exemptions are to be granted by the Zoning Administrator.

§ 157.160 WATER QUALITY IMPACT ASSESSMENT.

(A) The purpose of the water quality impact assessment is to:

(1) Identify the impacts of proposed development on water quality and lands within RPAs and other environmentally sensitive lands;

(2) Ensure that, where development does take place within RPAs and other sensitive lands, it will be in a manner that will be least disruptive to the natural functions of RPAs and other sensitive lands;

(3) Protect individuals from investing funds for proposed improvements on lands not suited for such development because of high groundwater, erosion, or vulnerability to flood and storm damage;

(4) Provide for administrative relief from the terms of this section when warranted and in accordance with the requirements contained in this section; and

(5) Specify mitigation that will address water quality protection.

(B) A water quality impact assessment is required for any proposed land disturbance, development, or redevelopment within an RPA, including any buffer area modification or encroachment as provided for in § 157.159; and any development in an RMA, floodplain, area of highly erodible soils, or 20% or greater slopes.

(C) There shall be two levels of water quality impact assessments, minor and major.

(1) Minor water quality impact assessment.

(a) A minor water quality impact assessment pertains only to development within an RPA and its 100-foot buffer strip under the following conditions:

1. No more than 6,000 square feet of land disturbance; and
2. No disturbance of the seaward 50 feet of the 100-foot buffer area.

(b) A minor assessment must demonstrate that the undisturbed buffer area, enhanced vegetative plantings, and any required BMPs will result in removal of no less than 75% of sediments and 40% of nutrients from post-development stormwater runoff. It must also demonstrate that it will retard runoff, prevent erosion, and filter nonpoint source pollution the equivalent of the full undisturbed 100-foot buffer area. A minor assessment shall include a site drawing to scale, which shows the following:

1. Location of the components of the RPA, including the 100-foot buffer area;

2. Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites;

3. Type and location of proposed BMPs to mitigate the proposed encroachment;

4. If development is in an IDEAIDA, proposed measures to restore all or part of the buffer strip, if possible;

5. Location of existing vegetation on-site, including the number and type of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and

6. Re-vegetation plan that supplements the existing buffer vegetation in a manner that provides for pollutant removal, erosion, and runoff control.

(2) Major water quality impact assessment.

(a) 1. A major water quality impact assessment shall be required for any development that:

a. Exceeds 6,000 square feet of land disturbance within an RPA or its buffer strip;

b. Disturbs any portion of the seaward 50 feet of the 100-foot buffer area; or

c. Is located in an RMA and includes areas of floodplain, highly erodible soils, or 20% or greater slopes.

2. The information required in this division (C)(2)(a) shall be considered a minimum unless the Zoning Administrator determines that some of the elements are unnecessary due to the scope and nature of the proposed use and development of land.

(b) The following elements shall be included in the preparation and submission of a major water quality assessment:

1. All of the information required in a minor water quality impact assessment, as specified in this division (C);

2. A hydrogeological element that:

a. Describes the existing topography, soils, hydrology, and geology of the site and adjacent lands; and

b. Describes the impacts of the proposed development on topography, soils, hydrology, and geology on the site and adjacent lands.

3. Indicates the following:

a. Disturbance or destruction of wetlands and justification for such action;

b. Disruptions or reductions in the supply of water to wetland, streams, lakes, rivers, or other water bodies;

c. Disruptions to existing hydrology, including wetland and stream circulation patterns;

d. Source location and description of proposed fill material;

e. Location of dredge material and location of dumping area for such material;

f. Location of and impacts on shellfish beds, submerged aquatic vegetation, and fish spawning areas;

g. Estimation of pre- and post-development pollutant loads in runoff;

h. Estimation of percentage of increase in impervious surface on the site and types of surfacing materials used;

i. Percentage of site to be cleared for the project;

j. Anticipated duration and phasing schedule of the construction project; and

k. Listing of all requisite permits from all applicable agencies necessary to develop the project.

4. Describes the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures include:

a. Proposed erosion and sediment control concepts; concepts may include minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocities, measures to stabilize disturbed areas, schedule and personnel for site inspection;

b. Proposed stormwater management system;

c. Creation of wetlands to replace those lost; and

d. Minimizing cut and fill.

(c) A landscape element that:

1. Identifies and delineates the location of all significant plant material on-site, including all trees six inches or greater ~~d.b.h.~~DBH. Where there are groups of trees, stands may be outlined;

2. Describes the impacts of the development or use on the existing vegetation, including:

a. General limits of clearing, based on all anticipated improvements, including buildings, drives, and utilities;

b. Clear delineation of all trees to be removed; and

c. Description of plant species to be disturbed or removed.

3. Describes the potential measures for mitigation. Possible mitigation measures include:

a. Replanting schedule for trees and other significant vegetation removed for construction, including a list of possible plants and trees to be used;

b. Demonstration that the design of the plan will preserve, to the greatest extent possible, any significant trees and vegetation on the site and will provide maximum erosion control and overland flow benefits from such vegetation; and

c. Demonstration that indigenous plants are to be used to the greatest extent possible.

(d) Submission and review requirements.

1. Ten copies of all site drawings and other applicable information as required by divisions (C)(2)(c)1. and (C)(2)(c)2. above shall be submitted to the Zoning Administrator for review.

2. All information required in this section shall be certified as complete and accurate by a professional engineer.

3. A water quality impact assessment shall be prepared and submitted to and reviewed by the Zoning Administrator in conjunction with § 157.161.

4. As part of any major water quality impact assessment submittal, the Zoning Administrator may require review by the Chesapeake Bay Local Assistance Department (CBLAD). Upon receipt of a major water quality impact assessment, the Zoning Administrator will determine if such review is warranted and may request CBLAD to review the assessment and respond with written comments. Any comments by CBLAD will be incorporated into the final review by the Zoning Administrator, provided that such comments are provided by CBLAD within 90 days of the request.

(e) Evaluation procedure.

1. Upon the completed review of a minor water quality impact assessment, the Zoning Administrator will determine if any proposed modification or reduction to the buffer area is consistent with the provisions of this subchapter and make a finding based upon the following criteria:

a. The necessity of the proposed encroachment and the ability to place improvements elsewhere on the site to avoid disturbance of the buffer area;

b. Impervious surface is minimized;

c. Proposed BMPs, where required, achieve the requisite reductions in pollutant loadings;

d. The development, as proposed, meets the purpose and intent of this section; and

e. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.

2. Upon the completed review of a major water quality impact assessment, the Zoning Administrator will determine if the proposed development is consistent with the purpose and intent of this section and make a finding based upon the following criteria:

a. The proposed development within the RPA is water dependent;

b. The disturbance of any wetlands will be minimized;

c. The development will not result in unnecessary disruption of the hydrology of the site;

d. The development will not result in unnecessary degradation to aquatic vegetation or life;

e. The development will not result in unnecessary destruction of plant materials on the site;

f. Proposed erosion and sediment control concepts are adequate to achieve the reductions in erosion and minimize off-site sedimentation;

g. Proposed stormwater management concepts are adequate to control the stormwater runoff and achieve the required performance standard for pollutant control;

h. Proposed re-vegetation of disturbed areas will provide effective erosion and sediment control benefits;

i. The development, as proposed, is consistent with the purpose and intent of the overlay district;

j. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality;

k. The Zoning Administrator shall require additional mitigation where potential impacts have not been adequately addressed. Evaluation of mitigation measures will be made by the Zoning Administrator based on the criteria listed in division (C)(2)(e)1. above and this division (C)(2)(e)2; and

l. The Zoning Administrator shall find the proposal to be inconsistent with the purpose and intent of this section when the impacts created by the proposal cannot be mitigated. Evaluation of the impacts will be made by the Zoning Administrator based on the criteria listed in division (C)(2)(e)1. above and this division (C)(2)(e)2.

§ 157.161 PLAN OF DEVELOPMENT PROCESS.

(A) Any development or redevelopment exceeding 2,500 square feet of land disturbance shall be accomplished through a plan of development process prior to any clearing, grading, or filling of the site or the issuance of any building permit, to assure compliance with all applicable requirements of this subchapter.

(B) In addition to the requirements of this section and Chapters 155 and 156 of this code, the plan of development process shall consist of the plans and studies identified in this division (B). These required plans and studies may be coordinated or combined, as deemed appropriate by the Zoning Administrator. The Zoning Administrator may determine that some of the following information is unnecessary due to the scope and nature of the proposed development. The following plans or studies shall be submitted unless otherwise provided for in this Chapter:

(1) A site plan in accordance with the provisions of Chapter 155 of this code or a subdivision plat in accordance with the provisions of Chapter 156 of this code, as necessary;

(2) An environmental site assessment;

(3) A landscaping plan;

(4) A stormwater management plan; and

(5) An erosion and sediment control plan in accordance with the provisions of Chapter 152 of this code.

(C) An environmental site assessment shall be submitted in conjunction with preliminary site plan or preliminary subdivision plan approval.

(1) The environmental site assessment shall be drawn to scale and clearly delineate the following environmental features:

(a) Tidal wetlands;

(b) Tidal shores;

(c) Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;

(d) A 100-foot buffer area located adjacent to and landward of the components listed in divisions (C)(1)(a) through (C)(1)(c) above and along both sides of any waterbody with perennial flow; and

(e) Other sensitive environmental features as determined by the Zoning Administrator.

(2) Wetlands delineations shall be performed consistent with the procedures specified in the current edition of the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, 1987, or as determined by the Army Corps of Engineers (ACOE).

(3) The environmental site assessment shall delineate the site-specific geographic extent of the RPA.

(4) The environmental site assessment shall be drawn at the same scale as the preliminary site plan or subdivision plat and shall be certified as complete and accurate by a professional engineer. This requirement may be waived by the Zoning Administrator when the proposed use or development would result in less than 5,000 square feet of disturbed area.

(5) Any request for exemption from the buffer requirements for properties contained wholly within designated ~~IDEAS~~ IDAs, as allowed by § 157.159(C)(4), must be submitted in writing with the assessment.

(D) A landscaping plan shall be submitted in conjunction with site plan approval or as part of subdivision plat approval. No clearing, grading, or filling of any lot or parcel shall be permitted without an approved landscaping plan.

(1) Contents of the plan.

(a) The landscaping plan shall be drawn to scale and clearly delineate the location, size, and description of existing and proposed plant material. All existing trees on the site six inches or greater ~~dbh~~ DBH shall be shown on the landscaping plan. Where there are groups of trees, stands may be outlined instead. The specific number of trees six inches or greater ~~dbh~~ DBH to be preserved outside the construction footprint shall be indicated on the plan. Trees to be removed to create a desired construction footprint shall be clearly delineated.

(b) Any required buffer area shall be clearly delineated, and any plant material to be added to establish or supplement the buffer area as required by this subchapter shall be shown.

(c) Within the buffer area, trees to be removed for sight lines, vistas, access paths, and BMPs, as provided for in this subchapter, shall be shown. Vegetation required by this subchapter to replace any existing trees within the buffer area shall also be shown.

(d) Trees to be removed for shoreline stabilization projects and any replacement vegetation required by this subchapter shall be shown on the landscaping plan.

(e) Grade changes or other work adjacent to trees that would affect adversely them. Specifications shall be provided as to how grade, drainage, and aeration will be maintained around trees to be preserved.

(f) Specifications for the protection of existing trees during clearing, grading, and all other phases of construction.

(2) Plant specifications.

(a) All plant materials necessary to supplement the buffer area or vegetated areas outside the construction footprint shall be installed according to standard planting practices and procedures.

(b) All supplementary or replacement plant materials shall be living and in a healthy condition. Plant materials shall conform to the standards of the most recent edition of the American Standard for Nursery Stock, published by the ~~American Association of Nurserymen~~ American Hort.

(c) Where areas that are to be preserved, as designated on an approved landscaping plan, are disturbed or encroached, replacement of existing trees and other vegetation will be achieved at a ratio of one planted tree to one removed. Replacement trees shall be of a similar species, a minimum of 12 feet in height and one and one-half inches DBH ~~DBA~~ at the time of planting.

(3) Maintenance.

(a) The applicant shall be responsible for the maintenance and replacement of all vegetation as may be required by the provisions of this subchapter.

(b) In buffer areas and areas outside the construction footprint, plant material shall be tended and maintained in a healthy growing condition and free from refuse and debris for a period of one year after the developer has completed all real estate sales in the developed property. Unhealthy, dying, or dead plant materials shall be replaced during the next planting season, as required by the provisions of this subchapter.

(E) A stormwater management plan shall be submitted in accordance with Chapter 153 of this code in conjunction with site plan or subdivision plan approval. The stormwater management plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, explanations, and citations to supporting references as appropriate to communicate the information required by this subchapter.

(1) At a minimum, the stormwater management plan must contain the following:

(a) Location and design of all proposed stormwater control devices;

(b) Procedures for implementing nonstructural stormwater control practices and techniques;

(c) Pre- and post-development nonpoint source pollutant loadings with supporting documentation of all utilized coefficients and calculations; and

(d) For facilities, verification of structural soundness, including a professional engineer certification.

(2) All engineering calculations must be performed in accordance with procedures outlined in the current edition of the Virginia Stormwater Management Handbook.

(3) The plan shall establish a long-term schedule for inspection and maintenance of stormwater management facilities including all maintenance requirements and persons responsible for performing said maintenance. If the designated maintenance responsibility is with a party other than the town, a maintenance agreement shall be executed between the responsible party and the town.

(F) An erosion and sediment control plan shall be submitted that satisfies the requirements of this subchapter and in accordance with Chapter 152 of this code, in conjunction with site plan or subdivision plan approval.

(G) Final plans for property within CBPAs shall be final plats for land to be subdivided or site plans for land not to be subdivided as required in Chapters 155 and 156 of this code.

(1) Final plans and plats for all lands within CBPAs shall include the following additional information:

(a) The delineation of the 100-foot RPA boundary for the retention of an undisturbed and vegetated 100-foot-wide buffer area, with permissibility of only water dependent facilities or redevelopment;

(b) The delineation of required buffer areas;

(c) All wetlands permits required by law;

(d) A maintenance agreement, as deemed necessary and appropriate by the Zoning Administrator, to ensure proper maintenance of BMPs in order to continue their functions;

(e) Measures to be taken for the protection of the resource protection areas (RPAs) during clearing, grading, and all other phases of construction. The following notations shall be included.

1. All existing vegetation within the RPA shall remain in its undisturbed natural state, except as allowed by this code.

2. Permissible development in the RPA is limited to water-dependent facilities, redevelopment, or other uses specifically allowed by this code.

(f) Gross acreages of the following physical land units shall be tabulated and computed by accurate planimetric methods at the final plan scale: 100-year floodplains; wetlands; existing water features (bodies of water, drainage channels, streams, and the like); and resource protection areas and resource management areas as specified by this subchapter; and

(g) Buildable areas allowed on each lot based on the performance criteria specified in the Chesapeake Bay Preservation Area regulations ~~in this chapter~~; front, side, and rear yard setback requirements established pursuant to this chapter, and any other relevant easements or limitations regarding lot coverage shall be graphically depicted on the site plan.

(2) Installation and bonding requirements are as follows.

(a) Where buffer areas, landscaping, stormwater management facilities, or other specifications of an approved plan are required, no certificate of occupancy shall be issued until the installation of required plant materials or facilities is completed in accordance with the approved site plan.

(b) When the occupancy of a structure is desired prior to the completion of the required landscaping, stormwater management facilities, or other specifications of an approved plan, a certificate of occupancy may be issued only if the applicant provides to the town a form of surety satisfactory to the Zoning Administrator in an amount equal to the remaining plant materials, related materials, and installation costs of the landscaping or other specifications and/or maintenance costs for any required stormwater management facilities.

(c) All required landscaping shall be installed and approved by the first planting season following issuance of a certificate of occupancy, or the surety may be forfeited to the town.

(d) All required stormwater management facilities or other specifications shall be installed and approved within 18 months of project commencement. Should the applicant fail, after proper notice, to initiate, complete, or maintain appropriate actions required by the approved plan, the surety may be forfeited to the town. The town may collect from the applicant the amount by which the reasonable cost of required actions exceeds the amount of the surety held.

(e) After all required actions of the approved site plan have been completed, the applicant must submit a written request for a final inspection with the as-built site plan or subdivision plan. If the requirements of the approved plan have been completed to the satisfaction of the Zoning Administrator, such unexpended or unobligated portion of the surety held shall be refunded in accordance with Chapters 155 and 156 of this code. The Zoning Administrator may require a certificate of substantial completion from a professional engineer before making a final inspection.

(H) Administration of the plan of development process shall be in accordance with Chapters 155 and 156 of this code.

(1) If the final plan or any component of the plan of development process, as related to this chapter, is not approved by the Zoning Administrator and/or recommended conditions or modifications are unacceptable to the applicant, the applicant may appeal such administrative decision to the Planning Commission.

(2) The appeal shall be made in writing to the Planning Commission. The Planning Commission shall review the appeal and ~~make recommendation to the Town Council. In reviewing the appeal, the Planning Commission shall~~ determine if:

(a) The plan is in accordance with all applicable ordinances and includes the necessary elements to mitigate any detrimental impact on water quality, adjacent properties, and the surrounding area; or

(b) Such plan meets the purpose and intent of the performance standards in this subchapter.

(3) If the Planning Commission finds that the applicant's plan does not meet the criteria stated in ~~subsection (i)(2) of this section, it shall recommend denial of reject~~ the plan to the Town Council. If the applicant's plan is found to meet the criteria stated in ~~subsection (i)(2) of this section, the Planning Commission shall recommend approval of approve the plan to the Town Council.~~

~~——(4) The Town Council shall consider the findings and rationale of the Planning Commission when voting to deny or approve the applicant's appeal.~~

§ 157.162 NONCONFORMING USES AND NONCOMPLYING STRUCTURES.

(A) The lawful use of a building or structure existing on the effective date of the ordinance from which this section derives or which exists at the time of any amendment to this subchapter, and which is not in conformity with the provisions of the overlay district may be continued in accordance with §§ 157.210 through 157.213.

(B) No change or expansion of use shall be allowed, with the exception that:

(1) ~~The Town Council~~ Planning Commission may grant a nonconforming use and development waiver for structures on legal nonconforming lots or parcels to provide for remodeling and alterations to such nonconforming structures, provided that:

(a) There will be no increase in nonpoint source pollution load; and

(b) Any development or land disturbance exceeding 2,500 square feet in area complies with all erosion and sediment control requirement of this subchapter.

(2) An application for a nonconforming use and development waiver shall be made to and upon forms furnished by the Zoning Administrator and shall include, for the purpose of proper enforcement of this section, the following information:

(a) Name and address of the applicant and the property owner;

(b) Legal description of the property;

(c) Type of proposed use and development;

(d) A sketch of the dimensions of the lot or parcel, location of buildings, and proposed additions relative to the lot lines, and boundary of the RPA; and

(e) Location and description of any existing private water supply or sewerage system.

(3) Requests for a nonconforming use and development waiver shall be reviewed by the Planning Commission for compliance with the provisions of this section, ~~who shall forward a recommendation to the Town Council;~~

(4) The Planning Commission shall review the ~~A~~ nonconforming use and development waiver ~~shall become null and void~~ 12 months from the date issued and shall revoke it by affirmative vote if no substantial work has commenced; and

(5) An application for the expansion of a nonconforming principal structure ~~may~~ shall be approved by the ~~Town Council~~ Planning Commission ~~after an administrative review process provided that if it finds that: the following findings are made:~~

(a) The request for the waiver is the minimum necessary to afford relief;

(b) Granting the waiver will not confer upon the applicant any specific privileges that are denied by this subchapter to other property owners in similar situations;

(c) The waiver is in harmony with the purpose and intent of this subchapter and does not result in water quality degradation;

(d) The waiver is not based on conditions or circumstances that are self-created or self-imposed, either by the current property owner or by a predecessor in title;

(e) Reasonable and appropriate conditions are imposed, as warranted, that will prevent the waiver from causing degradation of water quality; and

(f) The application does not include any accessory structures. Other findings, as appropriate and required by the town, are met; and

~~(g) In no case shall this provision apply to accessory structures.~~

§ 157.163 EXEMPTIONS AND EXCEPTIONS.

(A) Exemptions for linear utilities:

(1) Construction, installation, operation, and maintenance of electric, natural gas, fiber optic, telephone transmission lines, underground telecommunications and

cable television lines, railroads, public roads, pedestrian and bike paths, and their appurtenant structures shall be exempt from compliance with this Subchapter so long as they comply with Erosion and Sediment Control Law, the Storm Water Management (SWM) Act of the Code of Virginia and the Prince William County Design and Construction Standards Manual. The exemption of public roads is further conditioned on the road alignment and design being such as to minimize encroachment into the RPA and adverse effects on water quality. A WQIA study will be required for public roads unless the Town grants an exception pursuant to subsection (B) of this section. The applicant shall submit proof of all required compliance to the Zoning Administrator, who shall process the application as provided in this section.

(2) Construction, installation, and maintenance of water and sewer lines owned by a regional service authority shall be exempt from the compliance with this Subchapter if the provisions of the following paragraphs (a) through (d) are met. The applicant shall submit proof of all required compliance to the Zoning Administrator, who shall process the application as provided in this section.

(a) To the degree possible, the location of such utilities and facilities should be outside Resource Protection Areas;

(b) No more land shall be disturbed than is necessary to provide for the necessary utility installation;

(c) All such construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal requirements and permits and designed and conducted in a manner that protects water quality;

(d) Any land disturbance exceeding an area of 2,500 square feet shall comply with all erosion and sediment control requirements of the Design and Construction Standards Manual.

(B) Exceptions.

(1) Exceptions to the requirements of this Subchapter may be granted only as permitted by section 740.06 of the Prince William County Design and Construction Standards Manual. Exceptions for encroachment into the RPA will be processed in accordance with section 700 of the Prince William County Design and Construction Standards Manual either as administrative exceptions or as public hearing exceptions.

(2) When a public hearing is required by section 700 of the Prince William County Design and Construction Standards Manual, the Town Planning Commission shall conduct a public hearing to review a request for an exception for encroachment into the RPA and the associated water quality impact assessment study. The Planning Commission may grant the exception with such conditions and safeguards as stated in section 700 of the Prince William County Design and Construction Standards Manual.

~~(A) Construction, installation, and maintenance of water, sewer, roads, natural gas lines, underground telecommunications, and cable television lines owned, permitted by the town, shall be exempt from the overlay district provided that:~~

~~(1) To the extent possible, the location of such utilities and facilities shall be outside RPAs;~~

~~(2) No more land shall be disturbed than is necessary to provide for the proposed utility installation;~~

~~(3) All construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal requirements and permits and designed and conducted in a manner that protects water quality; and~~

~~(4) Any land disturbance exceeding 2,500 square feet in area shall comply with all town erosion and sediment control requirements.~~

~~(B) Water wells; passive recreation facilities such as boardwalks, trails, and pathways; and historic preservation and archaeological activities within the RPAs may be exempted from the overlay district, provided that it is demonstrated to the satisfaction of the Zoning Administrator that:~~

~~(1) Any required permits, except those to which this exemption specifically applies, shall have been issued;~~

~~(2) Sufficient and reasonable proof is submitted that the intended use will not deteriorate water quality;~~

~~(3) The intended use does not conflict with nearby planned or approved uses; and~~

~~(4) Any land disturbance exceeding 2,500 square feet in area shall comply with all town erosion and sediment control requirements.~~

2. That this ordinance is effective _____.

BY ORDER OF THE TOWN COUNCIL

**Meeting Date:
Town Council Meeting
Ord No. O-2022-XX**

RE: An Ordinance to Amend Sections 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, and 157.163 of the Town Code Generally Relating to Chesapeake Bay Preservation Overlay District

**MOTION:
SECOND:
ACTION:**

**Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:**

CERTIFIED COPY _____

Town Clerk



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

10. Regular Business	Meeting Date: April 5, 2022
10 A: Request to Adopt Ordinance O-2022-01 to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act	

Attachments: a. Ordinance O-2022-01

Submitted by: Bruce Reese
Town Engineer

Explanation and Summary:

This is a request to adopt Ordinance O-2022-01 to bring the Town Code into conformance with the Department of Environmental Quality's (DEQ) recommendations for implementing the Chesapeake Bay Preservation Act. The public hearing on this item is scheduled to take place earlier on the Town Council's meeting agenda. Should the Town Council choose to close the public hearing, staff is recommending that the Town Council take action to approve the Ordinance as presented.

At their March 22, 2022 meeting the Planning Commission held a public hearing on the proposed Ordinance. Having received no public comments, the Commission closed the public hearing and subsequently recommended approval of the proposed Ordinance to Town Council.

Background

On July 10, 2020, the Town was notified by the Department of Environmental Quality (DEQ) that the local Chesapeake Bay Preservation Act (CBPA) program, which the Town administers, was to be reviewed for compliance. The Town accommodated the CBPA by adopting the Chesapeake Bay Preservation Overlay District within the Zoning Ordinance in 1998 (then § 66-191).

Such reviews are conducted by DEQ periodically to assure compliance by the localities with the intent and letter of the CBPA. This review includes an evaluation of the Town's ordinances, a review of previously approved plans, a review of the Town's Comprehensive Plan, and an inspection of active construction sites. Since the July 2020 notice, Daniel Moore, Principal Environmental Planner with DEQ's Water Division, has conducted the required reviews and inspections. The Town was found to be in compliance with regard to plan review and site enforcement. There were, however, suggestions for changes to the Town's Comprehensive Plan and Zoning Ordinance (now starting at § 157.150 after the recodification).

In December 2021, the Town Council adopted changes to the Town's Comprehensive Plan which included recommendations by Mr. Moore, who has since acknowledged those changes met his criteria for compliance.

After several iterations of changes to the Town's Zoning Ordinance (Chapter 157, beginning at 157.150, Chesapeake Bay Preservation Overlay District), the revisions proposed with this Zoning Text Amendment will bring the Town Code into conformance with DEQ's recommendations for compliance with the CBPA.

Staff Recommendation: Recommend approval of the ordinance as presented to the Town Council.

Proposed/Suggested Motion(s):

"I move to adopt Ordinance O-2022-01 as presented."

OR

"I move to adopt Ordinance O-2022-01 with the following changes:_____."

OR

"I move to disapprove Ordinance O-2022-01 because _____."

OR

Other action the Town Council deems appropriate.

ORDINANCE # O-2022-01

AN ORDINANCE TO AMEND SECTIONS 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, AND 157.163 OF THE TOWN CODE GENERALLY RELATING TO CHESAPEAKE BAY PRESERVATION OVERLAY DISTRICT

WHEREAS, The Virginia Department of Environmental Quality (DEQ) has suggested various changes to the Town zoning code to address compliance with the Chesapeake Bay Preservation Act (Article 2.5 of Chapter, 3.1, Title 62.1 of the Code of Virginia); and

WHEREAS, The Town Council and Planning Commission are dedicated to protecting the Chesapeake Bay from pollution.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in regular session this 5th day of April, 2022:

1. That the Town Council hereby amends Town Code §§ 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, and 157.163 as follows:

§ 157.152 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words and terms not defined in this subchapter but defined in this chapter shall be given the meanings previously set forth.

APPLICANT. A person seeking any determination under this part or permit required by this subchapter.

BEST MANAGEMENT PRACTICE (BMPS). A practice, or a combination of practices, that is determined by a state or designated area-wide planning agency to be the most effective, practical means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.

BUFFER AREA. Natural or established vegetation managed to protect other components of a resource protection area and state waters from significant degradation due to land disturbances.

CHESAPEAKE BAY PRESERVATION AREA (CBPA). Any land designated by the Town Council pursuant to part III of the Chesapeake Bay Preservation Area

designation and management regulations, 9 VAC §§ 25-830-70 et seq. and 62.1-44.15:72. A CBPA shall consist of a resource protection area and a resource management area.

CONSTRUCTION FOOTPRINT. The area of all impervious surface including, but not limited to, buildings, roads and drives, parking areas, sidewalks, and the area necessary for construction of such improvements.

DEVELOPMENT. The construction or substantial alteration of residential, commercial, industrial, institutional, recreation, transportation, or utility facilities or structures.

DIAMETER AT BREAST HEIGHT (DBH). The diameter of a tree measured outside the bark at a point four and one-half feet above ~~height (dBA)~~ the highest point of ground at the tree's base.

DRIPLINE. A vertical projection to the ground surface from the furthest lateral extent of a tree's leaf canopy.

FLOODPLAIN. All lands that would be inundated by floodwater as a result of a storm event of a 100-year return interval.

HIGHLY ERODIBLE SOILS. Soils (excluding vegetation) with an erodibility index (EI) from sheet and rill erosion equal to or greater than eight. The erodibility index for any soil is defined as the product of the formula $RKLS/T$, where K is the soil susceptibility to water erosion in the surface layer; R is the rainfall and runoff; LS is the combined effects of slope length and steepness; and T is the soil loss tolerance.

HIGHLY PERMEABLE SOILS. Soils with a given potential to transmit water through the soil profile. **HIGHLY PERMEABLE SOILS** are identified as any soil having a permeability equal to or greater than six inches of water movement per hour in any part of the soil profile to a depth of 72 inches, permeability groups rapid and very rapid, as found in the National Soil Survey Handbook of November 1996, in the Field Office Technical Guide of the U.S. Department of Agricultural Natural Resources Conservation Service.

IMPERVIOUS COVER or IMPERVIOUS SURFACES. A surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. **IMPERVIOUS SURFACES** ~~It includes, but are not limited to,~~ roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

INTENSELY DEVELOPED AREAS (IDAs). A portion of a resource protection area or a resource management area designated by the Town Council where development is concentrated and little of the natural environment remains.

NONPOINT SOURCE POLLUTION. Pollution consisting of constituents such as sediment, nutrients, and organic and toxic substances from diffuse sources, such as runoff from agriculture and urban land development and use.

NONTIDAL WETLANDS. Wetlands other than tidal wetlands that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to § 404 of the Federal Clean Water Act, in 33 C.F.R. § 328.3b.

NOXIOUS WEEDS. Weeds that are difficult to control effectively, such as Johnson grass, kudzu, and multiflora rose.

PLAN OF DEVELOPMENT. The process for site plan or subdivision plat review to ensure compliance with 9 VAC § 25-830, and this subchapter prior to any clearing or grading of a site or the issuance of a building permit.

PRIVATE ROAD. A privately owned and maintained road designed and constructed in accordance with the State Department of Transportation standards.

PUBLIC ROAD. A publicly owned road designed in accordance with the State Department of Transportation standards.

REDEVELOPMENT. The process of developing land that is or has been previously developed, including in-fill development in intensely developed areas.

RESOURCE MANAGEMENT AREA (RMA). The component of the CBPA that is not classified as the resource protection area. RMAs include land types that, if improperly used or developed, have the potential for causing significant water quality degradation or for diminishing the functional value of the resource protection area.

RESOURCE PROTECTION AREA (RPA). The component of the CBPA comprised of lands adjacent to water bodies with perennial flow, that have an intrinsic water quality value due to the ecological and biological processes they perform or are

sensitive to impacts that may result in significant degradation to the quality of state waters. See § 157.153 for areas of applicability.

SUBSTANTIAL ALTERATION. The expansion or modification of a building or development within the resource management area that would result in land disturbance exceeding 2,500 square feet.

THIS SUBCHAPTER. Sections 157.150 through 157.163 of this code.

TIDAL SHORE or SHORE. Land contiguous to a tidal body of water between the mean low water level and the mean high water level.

TIDAL WETLANDS. Vegetated and non-vegetated wetlands as defined in VA Code § 28.2-1300.

WATER-DEPENDENT FACILITY. Development of land that cannot exist outside of the RPA and must be located on the shoreline due to the intrinsic nature of its operation. These facilities include, but are not limited to: ports; the intake and outfall structures of power plants, water treatment plants, sewage treatment plants, and storm sewers; marinas and other boat docking structures; beaches and other public water-oriented recreation areas; and fisheries or other marine resources facilities.

WETLANDS. Tidal and nontidal wetlands.

§ 157.153 AREAS OF APPLICABILITY.

(A) The Chesapeake Bay Preservation Area Overlay District shall apply to all lands identified as CBPAs as designated by the Town Council and as shown on the Occoquan Chesapeake Bay Preservation Area Map. This map, together with all explanatory matter thereon, is adopted by reference and declared to be a part of this subchapter.

(1) The resource protection area (RPA) is hereby established and shall consist of lands adjacent to water bodies with perennial flow that include:

(a) Tidal wetlands;

(b) Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;

(c) Tidal shores; and

(d) A 100-foot vegetated buffer area located adjacent to and landward of the components listed in divisions (A)(1)(a) through (A)(1)(c) above and along both sides of any water bodies with perennial flow.

(2) The RMA is composed of concentrations of the following land categories: floodplains; highly erodible soils, including steep slopes; highly permeable soils; nontidal wetlands not included in the RPA; and other lands, including all areas in the town necessary to protect the quality of state waters.

(B) The Occoquan Chesapeake Bay Preservation Area Map shows the general location of CBPAs and should be consulted by persons contemplating activities within the town prior to engaging in a regulated activity. The specific location of RPAs on a lot or parcel shall be delineated on each site or parcel as required under § 157.158.

(C) All areas within the town limits north of and including Mill Street and Poplar Lane are designated as ~~IDEAS~~IDEASIDAs. These areas shall serve as redevelopment areas. Areas so designated shall comply with all erosion and sediment control requirements and the performance standards for redevelopment in § 157.159.

§ 157.159 PERFORMANCE STANDARDS.

(A) *Purpose and intent.*

(1) The purpose and intent of this section is to prevent a net increase in nonpoint source pollution from new development and achieve a 10% reduction in nonpoint source pollution from redevelopment.

(2) The performance standards establish the means to minimize erosion and sedimentation potential, reduce land application of nutrients and toxics, and maximize rainwater infiltration. Natural ground cover, especially woody vegetation, is most effective in holding soil in place and preventing site erosion. Indigenous vegetation, with its adaptability to local conditions without the use of harmful fertilizers or pesticides, is an especially effective filter of stormwater runoff. Minimizing impervious cover enhances rainwater infiltration and effectively reduces stormwater runoff potential.

(3) Except as otherwise expressly stated in this Chapter, development in Chesapeake Bay Preservation Areas shall comply with state regulations found at 9VAC25-830-130, 9VAC25-830-140, and 9VAC25-830-150.

(B) General performance standards for development and redevelopment.

(1) Land disturbance shall be limited to the area necessary to provide for the proposed use or development.

(a) In accordance with an approved site plan, the limits of land disturbance, including clearing or grading, shall be strictly defined by the construction footprint. These limits shall be clearly shown on submitted plans and physically marked on the development site.

(b) Ingress and egress during construction shall be limited to one access point unless otherwise approved by the Zoning Administrator.

(2) Indigenous vegetation shall be preserved to the maximum extent practicable, consistent with the use or development proposed, and in accordance with the *Virginia Erosion and Sediment Control Handbook*.

(a) Existing trees over six inches ~~dbh~~ DBH shall be preserved outside the construction footprint. Diseased trees or trees weakened by age, storm, fire or other injury may be removed.

(b) Clearing shall be allowed only to provide necessary access, positive site drainage, water quality BMPs, and the installation of utilities, as approved by the Zoning Administrator.

(c) Prior to clearing or grading, suitable protective barriers, such as safety fencing, shall be erected one foot outside of the dripline of any tree or stand of trees to be preserved. These protective barriers shall remain erected throughout all phases of construction. The storage of equipment, materials, debris, or fill shall not be allowed within the area protected by the barrier.

(3) Land development shall minimize impervious cover to promote infiltration of stormwater into the ground consistent with the proposed use or development permitted.

(4) Notwithstanding any other provisions of this division (B) or exceptions or exemptions to this division (B), any land disturbing activity exceeding 2,500 square feet, including construction of all single-family houses, shall comply with the requirements of Chapter 152 of this code.

(5) All existing sewage disposal systems not requiring a VPDES permit shall be pumped out at least once every five years, in accordance with the provisions of the County Health Code. New septic tanks and private sewage plants are not permitted.

(6) For any development or redevelopment, stormwater runoff shall be controlled by the use of BMPs that achieve the following.

(a) For development, the post-development nonpoint source pollution runoff load shall not exceed the predevelopment load, based on a Chesapeake Bay watershed-wide average impervious surface cover of 16%.

(b) For any redevelopment site and for sites within ~~IDEAS~~ IDAS, the nonpoint source pollution load shall be reduced by at least 10%. The Zoning Administrator may waive or modify this requirement for redevelopment sites that originally incorporated BMPs for stormwater runoff quality control, provided the following provisions are satisfied:

1. In no case may the post-development nonpoint source pollution runoff load exceed the predevelopment load;

2. Runoff pollution loads must have been calculated and the BMPs selected for the expressed purpose of controlling nonpoint source pollution; and

3. If BMPs are structural, evidence shall be provided that facilities are currently in good working order and performing at the design levels of service. The Zoning Administrator may require a review of both the original structural design and maintenance plans to verify this provision. A new maintenance agreement may be required to ensure compliance with this division (B)(6).

(c) For redevelopment, both the pre- and post-development loadings shall be calculated by the same procedures. However, where the design data is available, the original post-development nonpoint source pollution loadings can be substituted for the existing development loadings.

(7) Prior to initiating grading or other on-site activities on any portion of a lot or parcel, all wetlands permits required by federal, state, and local laws and regulations shall be obtained and evidence of such submitted to the Zoning Administrator, in accordance with § 157.161.

(8) Clearing, land disturbance, or development exceeding 500 square feet, ~~on a recorded lot of record as of the date of this chapter amendment,~~ on slopes 20% or greater is prohibited.

(C) Buffer area requirements.

(1) To minimize the adverse effects of human activities on the other components of RPAs, state waters, and aquatic life, a 100-foot buffer area of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained if present and established where it does not exist. The delineation of the 100-foot RPA boundary for the retention of an undisturbed and vegetated 100-foot-wide buffer area with permissibility of only water dependent facilities or redevelopment shall be shown on all plans and plats.

(2) The buffer area shall be located adjacent to and landward of other RPA components and along both sides of any waterbody with perennial flow. The full buffer area shall be designated as the landward component of the RPA, in accordance with sections § 157.153 and 157.161.

(3) The 100-foot buffer area shall be deemed to achieve a 75% reduction of sediments and a 40% reduction of nutrients.

(4) The buffer area shall be maintained to meet the following additional performance standards.

(a) In order to maintain the functional value of the buffer area, indigenous vegetation may be removed only, as permitted by the Zoning Administrator, to provide for reasonable sight lines, access paths, general woodlot management practices, including those that prevent upland erosion and concentrated flows of stormwater and BMPs, as follows.

1. Trees may be pruned or removed as necessary to provide for sight lines and vistas, provided that where removed, they shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff.

2. Any path shall be constructed and surfaced to effectively control erosion.

3. Dead, diseased, or dying trees or shrubbery and noxious weeds may be removed and thinning of trees may be allowed pursuant to sound horticulture practice as recommended by the town.

4. For shoreline erosion control projects, trees and woody vegetation may be removed, necessary control techniques employed, and appropriate vegetation established to protect or stabilize the shoreline in accordance with the best available technical advice and applicable permit conditions or requirements.

(b) When the application of the buffer areas would result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, the Zoning Administrator may allow encroachments into the buffer area in accordance with § 157.161 and the following criteria.

1. Encroachments into the buffer areas shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities.

2. Where practicable, a vegetated area that will maximize water quality protection, mitigate the effects of the buffer encroachment, and is equal to the area of encroachment into the buffer area shall be established elsewhere on the lot or parcel.

3. The encroachment may not extend into the seaward 50 feet of the buffer area.

(c) Redevelopment within ~~IDEAS~~ IDAs may be exempt from the buffer area, in accordance with § 157.161. Where possible a buffer area shall be provided in order to remove pollutants and protect water quality. Any and all buffer exemptions are to be granted by the Zoning Administrator.

§ 157.160 WATER QUALITY IMPACT ASSESSMENT.

(A) The purpose of the water quality impact assessment is to:

(1) Identify the impacts of proposed development on water quality and lands within RPAs and other environmentally sensitive lands;

(2) Ensure that, where development does take place within RPAs and other sensitive lands, it will be in a manner that will be least disruptive to the natural functions of RPAs and other sensitive lands;

(3) Protect individuals from investing funds for proposed improvements on lands not suited for such development because of high groundwater, erosion, or vulnerability to flood and storm damage;

(4) Provide for administrative relief from the terms of this section when warranted and in accordance with the requirements contained in this section; and

(5) Specify mitigation that will address water quality protection.

(B) A water quality impact assessment is required for any proposed land disturbance, development, or redevelopment within an RPA, including any buffer area modification or encroachment as provided for in § 157.159; and any development in an RMA, floodplain, area of highly erodible soils, or 20% or greater slopes.

(C) There shall be two levels of water quality impact assessments, minor and major.

(1) Minor water quality impact assessment.

(a) A minor water quality impact assessment pertains only to development within an RPA and its 100-foot buffer strip under the following conditions:

1. No more than 6,000 square feet of land disturbance; and
2. No disturbance of the seaward 50 feet of the 100-foot buffer area.

(b) A minor assessment must demonstrate that the undisturbed buffer area, enhanced vegetative plantings, and any required BMPs will result in removal of no less than 75% of sediments and 40% of nutrients from post-development stormwater runoff. It must also demonstrate that it will retard runoff, prevent erosion, and filter nonpoint source pollution the equivalent of the full undisturbed 100-foot buffer area. A minor assessment shall include a site drawing to scale, which shows the following:

1. Location of the components of the RPA, including the 100-foot buffer area;

2. Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites;

3. Type and location of proposed BMPs to mitigate the proposed encroachment;

4. If development is in an IDEAIDA, proposed measures to restore all or part of the buffer strip, if possible;

5. Location of existing vegetation on-site, including the number and type of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and

6. Re-vegetation plan that supplements the existing buffer vegetation in a manner that provides for pollutant removal, erosion, and runoff control.

(2) Major water quality impact assessment.

(a) 1. A major water quality impact assessment shall be required for any development that:

a. Exceeds 6,000 square feet of land disturbance within an RPA or its buffer strip;

b. Disturbs any portion of the seaward 50 feet of the 100-foot buffer area; or

c. Is located in an RMA and includes areas of floodplain, highly erodible soils, or 20% or greater slopes.

2. The information required in this division (C)(2)(a) shall be considered a minimum unless the Zoning Administrator determines that some of the elements are unnecessary due to the scope and nature of the proposed use and development of land.

(b) The following elements shall be included in the preparation and submission of a major water quality assessment:

1. All of the information required in a minor water quality impact assessment, as specified in this division (C);

2. A hydrogeological element that:

a. Describes the existing topography, soils, hydrology, and geology of the site and adjacent lands; and

b. Describes the impacts of the proposed development on topography, soils, hydrology, and geology on the site and adjacent lands.

3. Indicates the following:

a. Disturbance or destruction of wetlands and justification for such action;

b. Disruptions or reductions in the supply of water to wetland, streams, lakes, rivers, or other water bodies;

c. Disruptions to existing hydrology, including wetland and stream circulation patterns;

d. Source location and description of proposed fill material;

e. Location of dredge material and location of dumping area for such material;

f. Location of and impacts on shellfish beds, submerged aquatic vegetation, and fish spawning areas;

g. Estimation of pre- and post-development pollutant loads in runoff;

h. Estimation of percentage of increase in impervious surface on the site and types of surfacing materials used;

i. Percentage of site to be cleared for the project;

j. Anticipated duration and phasing schedule of the construction project; and

k. Listing of all requisite permits from all applicable agencies necessary to develop the project.

4. Describes the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures include:

a. Proposed erosion and sediment control concepts; concepts may include minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocities, measures to stabilize disturbed areas, schedule and personnel for site inspection;

b. Proposed stormwater management system;

c. Creation of wetlands to replace those lost; and

d. Minimizing cut and fill.

(c) A landscape element that:

1. Identifies and delineates the location of all significant plant material on-site, including all trees six inches or greater ~~d.b.h.~~DBH. Where there are groups of trees, stands may be outlined;

2. Describes the impacts of the development or use on the existing vegetation, including:

a. General limits of clearing, based on all anticipated improvements, including buildings, drives, and utilities;

b. Clear delineation of all trees to be removed; and

c. Description of plant species to be disturbed or removed.

3. Describes the potential measures for mitigation. Possible mitigation measures include:

a. Replanting schedule for trees and other significant vegetation removed for construction, including a list of possible plants and trees to be used;

b. Demonstration that the design of the plan will preserve, to the greatest extent possible, any significant trees and vegetation on the site and will provide maximum erosion control and overland flow benefits from such vegetation; and

c. Demonstration that indigenous plants are to be used to the greatest extent possible.

(d) Submission and review requirements.

1. Ten copies of all site drawings and other applicable information as required by divisions (C)(2)(c)1. and (C)(2)(c)2. above shall be submitted to the Zoning Administrator for review.

2. All information required in this section shall be certified as complete and accurate by a professional engineer.

3. A water quality impact assessment shall be prepared and submitted to and reviewed by the Zoning Administrator in conjunction with § 157.161.

4. As part of any major water quality impact assessment submittal, the Zoning Administrator may require review by the Chesapeake Bay Local Assistance Department (CBLAD). Upon receipt of a major water quality impact assessment, the Zoning Administrator will determine if such review is warranted and may request CBLAD to review the assessment and respond with written comments. Any comments by CBLAD will be incorporated into the final review by the Zoning Administrator, provided that such comments are provided by CBLAD within 90 days of the request.

(e) Evaluation procedure.

1. Upon the completed review of a minor water quality impact assessment, the Zoning Administrator will determine if any proposed modification or reduction to the buffer area is consistent with the provisions of this subchapter and make a finding based upon the following criteria:

a. The necessity of the proposed encroachment and the ability to place improvements elsewhere on the site to avoid disturbance of the buffer area;

b. Impervious surface is minimized;

c. Proposed BMPs, where required, achieve the requisite reductions in pollutant loadings;

d. The development, as proposed, meets the purpose and intent of this section; and

e. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.

2. Upon the completed review of a major water quality impact assessment, the Zoning Administrator will determine if the proposed development is consistent with the purpose and intent of this section and make a finding based upon the following criteria:

a. The proposed development within the RPA is water dependent;

b. The disturbance of any wetlands will be minimized;

c. The development will not result in unnecessary disruption of the hydrology of the site;

d. The development will not result in unnecessary degradation to aquatic vegetation or life;

e. The development will not result in unnecessary destruction of plant materials on the site;

f. Proposed erosion and sediment control concepts are adequate to achieve the reductions in erosion and minimize off-site sedimentation;

g. Proposed stormwater management concepts are adequate to control the stormwater runoff and achieve the required performance standard for pollutant control;

h. Proposed re-vegetation of disturbed areas will provide effective erosion and sediment control benefits;

i. The development, as proposed, is consistent with the purpose and intent of the overlay district;

j. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality;

k. The Zoning Administrator shall require additional mitigation where potential impacts have not been adequately addressed. Evaluation of mitigation measures will be made by the Zoning Administrator based on the criteria listed in division (C)(2)(e)1. above and this division (C)(2)(e)2; and

l. The Zoning Administrator shall find the proposal to be inconsistent with the purpose and intent of this section when the impacts created by the proposal cannot be mitigated. Evaluation of the impacts will be made by the Zoning Administrator based on the criteria listed in division (C)(2)(e)1. above and this division (C)(2)(e)2.

§ 157.161 PLAN OF DEVELOPMENT PROCESS.

(A) Any development or redevelopment exceeding 2,500 square feet of land disturbance shall be accomplished through a plan of development process prior to any clearing, grading, or filling of the site or the issuance of any building permit, to assure compliance with all applicable requirements of this subchapter.

(B) In addition to the requirements of this section and Chapters 155 and 156 of this code, the plan of development process shall consist of the plans and studies identified in this division (B). These required plans and studies may be coordinated or combined, as deemed appropriate by the Zoning Administrator. The Zoning Administrator may determine that some of the following information is unnecessary due to the scope and nature of the proposed development. The following plans or studies shall be submitted unless otherwise provided for in this Chapter:

(1) A site plan in accordance with the provisions of Chapter 155 of this code or a subdivision plat in accordance with the provisions of Chapter 156 of this code, as necessary;

(2) An environmental site assessment;

(3) A landscaping plan;

(4) A stormwater management plan; and

(5) An erosion and sediment control plan in accordance with the provisions of Chapter 152 of this code.

(C) An environmental site assessment shall be submitted in conjunction with preliminary site plan or preliminary subdivision plan approval.

(1) The environmental site assessment shall be drawn to scale and clearly delineate the following environmental features:

(a) Tidal wetlands;

(b) Tidal shores;

(c) Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;

(d) A 100-foot buffer area located adjacent to and landward of the components listed in divisions (C)(1)(a) through (C)(1)(c) above and along both sides of any waterbody with perennial flow; and

(e) Other sensitive environmental features as determined by the Zoning Administrator.

(2) Wetlands delineations shall be performed consistent with the procedures specified in the current edition of the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, 1987, or as determined by the Army Corps of Engineers (ACOE).

(3) The environmental site assessment shall delineate the site-specific geographic extent of the RPA.

(4) The environmental site assessment shall be drawn at the same scale as the preliminary site plan or subdivision plat and shall be certified as complete and accurate by a professional engineer. This requirement may be waived by the Zoning Administrator when the proposed use or development would result in less than 5,000 square feet of disturbed area.

(5) Any request for exemption from the buffer requirements for properties contained wholly within designated ~~IDEAS~~ IDAs, as allowed by § 157.159(C)(4), must be submitted in writing with the assessment.

(D) A landscaping plan shall be submitted in conjunction with site plan approval or as part of subdivision plat approval. No clearing, grading, or filling of any lot or parcel shall be permitted without an approved landscaping plan.

(1) Contents of the plan.

(a) The landscaping plan shall be drawn to scale and clearly delineate the location, size, and description of existing and proposed plant material. All existing trees on the site six inches or greater ~~dbh~~DBH shall be shown on the landscaping plan. Where there are groups of trees, stands may be outlined instead. The specific number of trees six inches or greater ~~dbh~~DBH to be preserved outside the construction footprint shall be indicated on the plan. Trees to be removed to create a desired construction footprint shall be clearly delineated.

(b) Any required buffer area shall be clearly delineated, and any plant material to be added to establish or supplement the buffer area as required by this subchapter shall be shown.

(c) Within the buffer area, trees to be removed for sight lines, vistas, access paths, and BMPs, as provided for in this subchapter, shall be shown. Vegetation required by this subchapter to replace any existing trees within the buffer area shall also be shown.

(d) Trees to be removed for shoreline stabilization projects and any replacement vegetation required by this subchapter shall be shown on the landscaping plan.

(e) Grade changes or other work adjacent to trees that would affect adversely them. Specifications shall be provided as to how grade, drainage, and aeration will be maintained around trees to be preserved.

(f) Specifications for the protection of existing trees during clearing, grading, and all other phases of construction.

(2) Plant specifications.

(a) All plant materials necessary to supplement the buffer area or vegetated areas outside the construction footprint shall be installed according to standard planting practices and procedures.

(b) All supplementary or replacement plant materials shall be living and in a healthy condition. Plant materials shall conform to the standards of the most recent edition of the American Standard for Nursery Stock, published by the ~~American Association of Nurserymen~~ American Hort.

(c) Where areas that are to be preserved, as designated on an approved landscaping plan, are disturbed or encroached, replacement of existing trees and other vegetation will be achieved at a ratio of one planted tree to one removed. Replacement trees shall be of a similar species, a minimum of 12 feet in height and one and one-half inches DBH-dBA at the time of planting.

(3) Maintenance.

(a) The applicant shall be responsible for the maintenance and replacement of all vegetation as may be required by the provisions of this subchapter.

(b) In buffer areas and areas outside the construction footprint, plant material shall be tended and maintained in a healthy growing condition and free from refuse and debris for a period of one year after the developer has completed all real estate sales in the developed property. Unhealthy, dying, or dead plant materials shall be replaced during the next planting season, as required by the provisions of this subchapter.

(E) A stormwater management plan shall be submitted in accordance with Chapter 153 of this code in conjunction with site plan or subdivision plan approval. The stormwater management plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, explanations, and citations to supporting references as appropriate to communicate the information required by this subchapter.

(1) At a minimum, the stormwater management plan must contain the following:

(a) Location and design of all proposed stormwater control devices;

(b) Procedures for implementing nonstructural stormwater control practices and techniques;

(c) Pre- and post-development nonpoint source pollutant loadings with supporting documentation of all utilized coefficients and calculations; and

(d) For facilities, verification of structural soundness, including a professional engineer certification.

(2) All engineering calculations must be performed in accordance with procedures outlined in the current edition of the Virginia Stormwater Management Handbook.

(3) The plan shall establish a long-term schedule for inspection and maintenance of stormwater management facilities including all maintenance requirements and persons responsible for performing said maintenance. If the designated maintenance responsibility is with a party other than the town, a maintenance agreement shall be executed between the responsible party and the town.

(F) An erosion and sediment control plan shall be submitted that satisfies the requirements of this subchapter and in accordance with Chapter 152 of this code, in conjunction with site plan or subdivision plan approval.

(G) Final plans for property within CBPAs shall be final plats for land to be subdivided or site plans for land not to be subdivided as required in Chapters 155 and 156 of this code.

(1) Final plans and plats for all lands within CBPAs shall include the following additional information:

(a) The delineation of the 100-foot RPA boundary for the retention of an undisturbed and vegetated 100-foot-wide buffer area, with permissibility of only water dependent facilities or redevelopment;

(b) The delineation of required buffer areas;

(c) All wetlands permits required by law;

(d) A maintenance agreement, as deemed necessary and appropriate by the Zoning Administrator, to ensure proper maintenance of BMPs in order to continue their functions;

(e) Measures to be taken for the protection of the resource protection areas (RPAs) during clearing, grading, and all other phases of construction. The following notations shall be included.

1. All existing vegetation within the RPA shall remain in its undisturbed natural state, except as allowed by this code.

2. Permissible development in the RPA is limited to water-dependent facilities, redevelopment, or other uses specifically allowed by this code.

(f) Gross acreages of the following physical land units shall be tabulated and computed by accurate planimetric methods at the final plan scale: 100-year floodplains; wetlands; existing water features (bodies of water, drainage channels, streams, and the like); and resource protection areas and resource management areas as specified by this subchapter; and

(g) Buildable areas allowed on each lot based on the performance criteria specified in the Chesapeake Bay Preservation Area regulations ~~in this chapter~~; front, side, and rear yard setback requirements established pursuant to this chapter, and any other relevant easements or limitations regarding lot coverage shall be graphically depicted on the site plan.

(2) Installation and bonding requirements are as follows.

(a) Where buffer areas, landscaping, stormwater management facilities, or other specifications of an approved plan are required, no certificate of occupancy shall be issued until the installation of required plant materials or facilities is completed in accordance with the approved site plan.

(b) When the occupancy of a structure is desired prior to the completion of the required landscaping, stormwater management facilities, or other specifications of an approved plan, a certificate of occupancy may be issued only if the applicant provides to the town a form of surety satisfactory to the Zoning Administrator in an amount equal to the remaining plant materials, related materials, and installation costs of the landscaping or other specifications and/or maintenance costs for any required stormwater management facilities.

(c) All required landscaping shall be installed and approved by the first planting season following issuance of a certificate of occupancy, or the surety may be forfeited to the town.

(d) All required stormwater management facilities or other specifications shall be installed and approved within 18 months of project commencement. Should the applicant fail, after proper notice, to initiate, complete, or maintain appropriate actions

required by the approved plan, the surety may be forfeited to the town. The town may collect from the applicant the amount by which the reasonable cost of required actions exceeds the amount of the surety held.

(e) After all required actions of the approved site plan have been completed, the applicant must submit a written request for a final inspection with the as-built site plan or subdivision plan. If the requirements of the approved plan have been completed to the satisfaction of the Zoning Administrator, such unexpended or unobligated portion of the surety held shall be refunded in accordance with Chapters 155 and 156 of this code. The Zoning Administrator may require a certificate of substantial completion from a professional engineer before making a final inspection.

(H) Administration of the plan of development process shall be in accordance with Chapters 155 and 156 of this code.

(1) If the final plan or any component of the plan of development process, as related to this chapter, is not approved by the Zoning Administrator and/or recommended conditions or modifications are unacceptable to the applicant, the applicant may appeal such administrative decision to the Planning Commission.

(2) The appeal shall be made in writing to the Planning Commission. The Planning Commission shall review the appeal and ~~make recommendation to the Town Council. In reviewing the appeal, the Planning Commission shall~~ determine if:

(a) The plan is in accordance with all applicable ordinances and includes the necessary elements to mitigate any detrimental impact on water quality, adjacent properties, and the surrounding area; or

(b) Such plan meets the purpose and intent of the performance standards in this subchapter.

(3) If the Planning Commission finds that the applicant's plan does not meet the criteria stated in ~~subsection (i)(2) of this section, it shall recommend denial of reject~~ the plan to the Town Council. If the applicant's plan is found to meet the criteria stated in ~~subsection (i)(2) of this section, the Planning Commission shall recommend approval of approve the plan to the Town Council.~~

~~(4) The Town Council shall consider the findings and rationale of the Planning Commission when voting to deny or approve the applicant's appeal.~~

§ 157.162 NONCONFORMING USES AND NONCOMPLYING STRUCTURES.

(A) The lawful use of a building or structure existing on the effective date of the ordinance from which this section derives or which exists at the time of any amendment to this subchapter, and which is not in conformity with the provisions of the overlay district may be continued in accordance with §§ 157.210 through 157.213.

(B) No change or expansion of use shall be allowed, with the exception that:

(1) The ~~Town Council~~ Planning Commission may grant a nonconforming use and development waiver for structures on legal nonconforming lots or parcels to provide for remodeling and alterations to such nonconforming structures, provided that:

(a) There will be no increase in nonpoint source pollution load; and

(b) Any development or land disturbance exceeding 2,500 square feet in area complies with all erosion and sediment control requirement of this subchapter.

(2) An application for a nonconforming use and development waiver shall be made to and upon forms furnished by the Zoning Administrator and shall include, for the purpose of proper enforcement of this section, the following information:

(a) Name and address of the applicant and the property owner;

(b) Legal description of the property;

(c) Type of proposed use and development;

(d) A sketch of the dimensions of the lot or parcel, location of buildings, and proposed additions relative to the lot lines, and boundary of the RPA; and

(e) Location and description of any existing private water supply or sewerage system.

(3) Requests for a nonconforming use and development waiver shall be reviewed by the Planning Commission for compliance with the provisions of this section, ~~who shall forward a recommendation to the Town Council;~~

(4) The Planning Commission shall review the A nonconforming use and development waiver shall become null and void 12 months from the date issued and shall revoke it by affirmative vote if no substantial work has commenced; and

(5) An application for the expansion of a nonconforming principal structure ~~may shall~~ be approved by the ~~Town Council Planning Commission after an administrative review process provided that if it finds that: the following findings are made:~~

(a) The request for the waiver is the minimum necessary to afford relief;

(b) Granting the waiver will not confer upon the applicant any specific privileges that are denied by this subchapter to other property owners in similar situations;

(c) The waiver is in harmony with the purpose and intent of this subchapter and does not result in water quality degradation;

(d) The waiver is not based on conditions or circumstances that are self-created or self-imposed, either by the current property owner or by a predecessor in title;

(e) Reasonable and appropriate conditions are imposed, as warranted, that will prevent the waiver from causing degradation of water quality; and

(f) The application does not include any accessory structures. Other findings, as appropriate and required by the town, are met; and

~~—————(g) In no case shall this provision apply to accessory structures.~~

§ 157.163 EXEMPTIONS AND EXCEPTIONS.

(A) Exemptions for linear utilities:

(1) Construction, installation, operation, and maintenance of electric, natural gas, fiber optic, telephone transmission lines, underground telecommunications and cable television lines, railroads, public roads, pedestrian and bike paths, and their appurtenant structures shall be exempt from compliance with this Subchapter so long as they comply with Erosion and Sediment Control Law, the Storm Water Management (SWM) Act of the Code of Virginia and the Prince William County Design and

Construction Standards Manual. The exemption of public roads is further conditioned on the road alignment and design being such as to minimize encroachment into the RPA and adverse effects on water quality. A WQIA study will be required for public roads unless the Town grants an exception pursuant to subsection (B) of this section. The applicant shall submit proof of all required compliance to the Zoning Administrator, who shall process the application as provided in this section.

(2) Construction, installation, and maintenance of water and sewer lines owned by a regional service authority shall be exempt from the compliance with this Subchapter if the provisions of the following paragraphs (a) through (d) are met. The applicant shall submit proof of all required compliance to the Zoning Administrator, who shall process the application as provided in this section.

(a) To the degree possible, the location of such utilities and facilities should be outside Resource Protection Areas;

(b) No more land shall be disturbed than is necessary to provide for the necessary utility installation;

(c) All such construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal requirements and permits and designed and conducted in a manner that protects water quality;

(d) Any land disturbance exceeding an area of 2,500 square feet shall comply with all erosion and sediment control requirements of the Design and Construction Standards Manual.

(B) Exceptions

(1) Exceptions to the requirements of this Subchapter may be granted only as permitted by section 740.06 of the Prince William County Design and Construction Standards Manual. Exceptions for encroachment into the RPA will be processed in accordance with section 700 of the Prince William County Design and Construction Standards Manual either as administrative exceptions or as public hearing exceptions.

(2) When a public hearing is required by section 700 of the Prince William County Design and Construction Standards Manual, the Town Planning Commission shall conduct a public hearing to review a request for an exception for encroachment into the RPA and the associated water quality impact assessment study. The Planning

Commission may grant the exception with such conditions and safeguards as stated in section 700 of the Prince William County Design and Construction Standards Manual.

~~(A) Construction, installation, and maintenance of water, sewer, roads, natural gas lines, underground telecommunications, and cable television lines owned, permitted by the town, shall be exempt from the overlay district provided that:~~

~~(1) To the extent possible, the location of such utilities and facilities shall be outside RPAs;~~

~~(2) No more land shall be disturbed than is necessary to provide for the proposed utility installation;~~

~~(3) All construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal requirements and permits and designed and conducted in a manner that protects water quality; and~~

~~(4) Any land disturbance exceeding 2,500 square feet in area shall comply with all town erosion and sediment control requirements.~~

~~(B) Water wells; passive recreation facilities such as boardwalks, trails, and pathways; and historic preservation and archaeological activities within the RPAs may be exempted from the overlay district, provided that it is demonstrated to the satisfaction of the Zoning Administrator that:~~

~~(1) Any required permits, except those to which this exemption specifically applies, shall have been issued;~~

~~(2) Sufficient and reasonable proof is submitted that the intended use will not deteriorate water quality;~~

~~(3) The intended use does not conflict with nearby planned or approved uses;~~
and

~~(4) Any land disturbance exceeding 2,500 square feet in area shall comply with all town erosion and sediment control requirements.~~

2. That this ordinance is effective _____.

BY ORDER OF THE TOWN COUNCIL

Meeting Date: April 5, 2022

Town Council Meeting

Ord No. O-2022-01

RE: An Ordinance to Amend Sections 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, and 157.163 of the Town Code Generally Relating to Chesapeake Bay Preservation Overlay District

MOTION:

SECOND:

ACTION:

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

CERTIFIED COPY _____

Town Manager



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
 Agenda Communication

11. Work Session Items	Meeting Date: April 5, 2022
11 A: FY 2023 Budget Work Session	

Attachments: a. [FY2023 Proposed Budget](#)

Submitted by: Kirstyn Jovanovich
 Town Manager

Explanation and Summary:

This is the final work sessions to discuss the proposed Fiscal Year 2023 Budget. The FY2023 proposed budget is available on the Town’s website at www.occoquanva.gov. A public hearing has been advertised for the budget on April 19, 2022 and the proposed tax rates on May 3, 2022. The budget and tax rates are scheduled for adoption during the June 7, 2022 Town Council meeting.

The previous work sessions focused on the Proposed Budget and Capital Improvement Plan. This work session will provide additional detail on proposed fund balances and address any further questions from the Town Council.

BUDGET SCHEDULE

Town Council Budget Work Session #1	Tuesday, February 15, 2022	7:00 p.m.
Town Council Budget Work Session #2	Tuesday, March 15, 2022	7:00 p.m.
Town Council Budget Work Session #3	Tuesday, April 5, 2022	7:00 p.m.
Proposed FY23 Budget Submitted to Council, Available to Public	Friday, April 1, 2022	COB
Public Hearing: Proposed FY23 Budget	Tuesday, April 19, 2022	7:00 p.m.
Public Hearing: Proposed FY23 Tax Rates	Tuesday, May 3, 2022	7:00 p.m.
Adoption of FY23 Tax Rates and Budget	Wednesday, June 7, 2022	7:00 p.m.



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

11. Work Session Items	Meeting Date: April 5, 2022
11 B: Coronavirus State Local Fiscal Recovery Funds (SLFRF) Briefing	

Attachments: a. [Occoquan ARPA Information](#)

Submitted by: Kirstyn Jovanovich
Town Manager

Explanation and Summary:

Staff will provide a presentation and update the Town Council on the status of the town's Coronavirus State Local Fiscal Recover Funds (SLFRF) potential projects list.

Background

Town staff provided a briefing on the Town's SLFRF funds and presented a potential projects list with rough cost estimates at the February 15, 2022 Town Council meeting. Feedback received during that meeting was incorporated into a revised list, which was then presented for community feedback during a Town Hall meeting on March 1, 2022. The website linked above includes updated information on the potential projects list.

About SLFRF

The Treasury Department has issued the Final Rule on the use of the American Rescue Plan Act (ARPA) funds, including the Coronavirus State Local Fiscal Recover Funds (SLFRF) program. The Town is entitled to \$949,560.76 under the SLFRF NEU distribution, with the first tranche of \$474,780.38 received in June 2021 and the second tranche expected in June 2022.

Recipients may use SLFRF funds to:

- Replace lost public sector revenue
- Respond to the public health and negative economic impacts of the pandemic
- Provide premium pay for essential workers
- Invest in water, sewer, and broadband infrastructure

The SLFRF funds provide flexibility for each jurisdiction to meet local needs within these four separate eligible use categories.

[Read the Final Rule](#)
[Overview of the Final Rule](#)