



TOWN OF OCCOQUAN

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

PLANNING COMMISSION MEETING

Town Hall– 314 Mill Street

Tuesday, July 28, 2020

6:30 p.m.

1. Call to Order
2. Approval of Remote Electronic Participation Policy
3. Citizen Comments
4. Approval of Minutes
 - a. June 23, 2020 Minutes
5. Approval of Revised Sign Ordinance
6. Planning Commission Priorities Update
 - a. Discussion of Noise Ordinance
 - b. Beautification, Town Entrances, Streetscaping
 - c. Parking and Traffic
 - d. Strategic Relationship Building
 - e. CIP – 2019 Planning Commission Annual Report
7. Chair/Town Council Report
8. Adjournment

Eliot Perkins
Chair, Planning Commission

Portions of this meeting may be held in closed session pursuant to the Virginia Freedom of Information Act.

REMOTE ELECTRONIC PARTICIPATION BY MEMBERS OF THE OCCOQUAN PLANNING COMMISSION

The following policy is established for the Town of Occoquan Planning Commission remote electronic participation in their public meetings. It is the policy of the Occoquan Planning Commission that members may participate in its public meetings by electronic means as permitted by Virginia Code § 2.2- 3708.2. This policy shall apply to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

The Commission members reviewing an individual member's request to participate remotely must approve such request, unless that participation would violate this written policy or the provisions of Virginia Code § 2.2-3708.2. If a member's participation from a remote location is challenged based on a violation of this written policy or Virginia Code § 2.2- 3708.2, then the Commission shall vote whether to allow such participation, and if the Commission votes to disapprove of the member's remote participation, such disapproval shall be recorded in the meeting minutes with specificity. Only a violation of this written policy or Virginia Code § 2.2-3708.2 shall be grounds for challenge and disapproval. In all other instances, members must approve a remote participation request.

Emergency or Personal Matter

1. On or before the day of the meeting, the member must notify the chair or the vice-chair in the absence of the chair, of the Commission, that he/she is unable to attend the meeting due to an emergency or personal matter.
2. The member must identify with specificity the nature of the emergency or personal matter.
3. Arrangements for the remote member's voice to be heard by all persons in physical attendance of the public meeting must be made.
4. A quorum of the Commission must be physically assembled at the meeting location.
5. The Commission must record in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated.
6. Such participation by the member shall be limited each calendar year to two (2) meetings.

Temporary or Permanent Disability

1. On or before the day of the meeting, the member must notify the chair or the vice-chair in the absence of the chair, of the Commission, that he/s she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance.
2. Arrangements for the remote member's voice to be heard by all persons in physical attendance of the public meeting must be made.
3. The Commission must record in its minutes the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance and the remote location from which the member participated.
4. A quorum of the Commission must be physically assembled at the meeting location.



TOWN OF OCCOQUAN
Town Hall – 314 Mill Street, Occoquan, VA 22125
MEETING DATE: 2020-06-23

MEETING TIME: 6:30 PM

Present: Darryl Hawkins, Jenn Loges, Eliot Perkins, Ryan Somma

Absent: Ann Kisling

Staff: Katy Nicholson, Town Clerk

1. Call to Order

The Planning Commission Public Hearing was called to order by Eliot Perkins on 2020-06-23 at 6:32 p.m.

Secretary for Meeting

Ryan Somma took minutes for the meeting.

2. Citizen Comments

There were no citizens comments.

3. Approval of Minutes January 28, 2020

Jenn Loges moved to approve the January 28, 2020 meeting minutes. Darryl Hawkins seconded. The motion carried.

4. Planning Commission Priorities Update

o Noise Ordinance

Jenn Loges presented a draft noise ordinance document based on looking at different examples and different approaches from other municipalities. She noted that everyone agrees that keeping the ordinance simple as a primary concern. The consequence of not having the ordinance during the lapse in Commission meetings were that the Police ran into difficulties in enforcement without a code. So the Town adopted a stop-gap ordinance in April. The ordinance was in keeping with the Prince William County ordinance to prevent citizens from being subject to different regulations when they come into Town; however, many things in the Prince William County ordinance do not apply to Town, such as there being no schools in town. Basing the Town ordinance heavily on the County ordinance also makes sense as a starting point since our Police officers are familiar with it. The goal was to have the ordinance be less than one page, but legalese brings it to seven pages.

Eliot Perkins said that between now and the next meeting Commission members should all be familiarized with the ordinance and to address questions to Eliot Perkins and Jenn Loges. The goal is to have something for Town Council by end of next meeting.

The Commission agreed to have feedback to Jenn Loges by July 7th.

o Beautification, Town Entrances, Streetscaping

Eliot Perkins said there was a change in management for the Town landscaping. Buckey is now working under the Town Police Officer. There have been an enormous number of things being done around Town, and every Monday the Town now gets a list of every project in town and what's been done. For example, every brick in town has been fixed.

The CIP budget was approved for improving the Town entrances. Meetings are set up with the developer concerning Monument signs to get an estimate of what can fit in the space and the costs. There has been progress on entrances with flowers and landscaping.

o Parking and Traffic

Eliot Perkins said there would be an update from Town Council at their next meeting.

o CIP – 2019 Planning Commission Annual Report

Ryan Somma said he would forward his draft of the Annual Report to the Town Clerk for inclusion at the next meeting.

5. Chair/Town Council Report

Eliot Perkins said that the Town has received \$90k from federal government for COVID relief. The Town will provide \$30k for micro-grants to small businesses and will divide grants equally depending on how many businesses apply.

6. Adjournment

The meeting was adjourned at 7:03 p.m.

Eliot Perkins: Perkins
Chair, Planning Commission

Submitted by Ryan Somma, Planning Commission Secretary

SIGNS; GENERAL PROVISIONS

§ 157.300 FINDINGS, PURPOSE, AND INTENT; INTERPRETATION.

(A) Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this subchapter is to regulate the size, color, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive, and harmonious community, protection against destruction of or encroachment upon historic areas, and the safety and welfare of pedestrians and wheeled traffic, while providing convenience to citizens and encouraging economic development. This subchapter allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. This subchapter shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this subchapter is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this subchapter which can be given effect without the invalid provision.

(B) Signs not expressly permitted as being allowed by right or by special use permit under this subchapter, by specific requirements in another portion of this chapter, or otherwise expressly allowed by the Town Council are forbidden.

(C) A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this subchapter is to establish limitations on signs in order to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in division (A) above.

(D) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

(E) These regulations distinguish between portions of the town designed for primarily vehicular access and portions of the town designed for primarily pedestrian access.

(F) These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.

(G) These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

(1998 Code, § 66-360) (Ord. passed 9-5-2017)

Statutory reference:

Outdoor advertising in sight of public highways, see VA Code §§ 33.2-1200 et seq.

§ 157.301 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A-FRAME SIGN. A two-faced chalkboard sign with supports that are connected at the top and separated at the base, forming an “A” shape. These are also referred to as **SANDWICH BOARD SIGNS**. They are included in the term **PORTABLE SIGN**.

ADVERTISING. Any words, symbol, color, or design used to call attention to a commercial product, service, or activity.

ANIMATED SIGN. A sign or part of a sign that is designed to rotate, move, or appear to rotate or move.

AWNING SIGN. A sign placed directly on the surface of an awning.

BANNER. A temporary sign of flexible material designed to be installed with attachments at each of four corners.

BOX SIGN. A sign contained in a box, transparent on one side, which is not more than four and a half square feet in area and not more than one foot deep.

BUSINESS SIGN. A sign which directs attention to a product, service, or commercial activity available on the premises.

CANOPY SIGN. A sign attached to a canopy.

CHANGEABLE COPY SIGN. A sign or part of a sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign.

COMMERCIAL SIGN. A sign that advertises a business, location, product, service, or other commercial activity.

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COMPREHENSIVE SIGN PLAN. A plan for the signage of a property that includes multiple tenants or owners with shared parking or other facilities, with special use permit (SUP) from Town Council.

FEATHER SIGN. A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole. The physical structure may resemble a sail, bow, or teardrop.

FLAG. A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope, and used as a symbol or decoration; this includes **PENNANTS**.

FLASHING SIGN. A sign that includes lights that flash, blink, or turn on and off intermittently.

FREESTANDING SIGN. A non-portable sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.

HEIGHT. The maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: existing grade immediately prior to construction of the sign; or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating primarily for the purpose of mounting or elevating the sign.

ILLEGAL SIGN. Any sign erected without a required permit or which otherwise does not comply with any provisions of this subchapter.

ILLUMINATED SIGN. A sign that is backlit, internally lighted, or indirectly lighted, but does not include a neon sign.

INFLATABLE SIGN. Any sign which uses compressed or forced gas to provide support.

MARQUEE. A permanent structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

MARQUEE SIGN. A sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed, or both types of lettering in use.

MINOR SIGN. A wall or freestanding sign, as per the tables in §§ 157.320 through 157.322 and not illuminated.

MONUMENT SIGN. A sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.

NEON SIGN. A sign containing exposed tubes filled with light-emitting gas.

NONCONFORMING SIGN. Any sign which was lawfully erected in compliance with applicable regulations of the town and maintained prior to the effective date of this chapter and which fails to conform to current standards and restrictions of this chapter.

NON-RESIDENTIAL USE PROPERTY. A property that at the time is being used for some purpose other than a residence, regardless of the zoning district in which the property is located. Properties within the B-1 zoning district that are used for activity that is subject to the transient occupancy tax shall be considered non-residential use property.

OBSOLETE SIGN. Any sign associated with a building, structure, or business, where the building or occupation permit or business license has been expired for in excess of three consecutive months—

OFF-PREMISES SIGN. A sign that directs attention to a business, product, service, or activity conducted, sold, or offered at a location other than the premises on which the sign is erected.

POLE SIGN. A sign that is mounted on one or more freestanding poles.

PORTABLE SIGN. Any temporary sign not affixed to a building, structure, vehicle, or the ground. It does not include a flag or banner.

PROJECTING SIGN. Any sign, other than a wall, awning, or marquee sign, affixed to a building and supported only by the wall on which it is mounted.

PUBLIC AREA. Any public place, public right-of-way, any parking area, or right-of-way open to use by the general public, or any navigable body of water.

RESIDENTIAL-USE PROPERTY. A property that at the time is being used as a residence, regardless of the zoning district in which the property is located. Properties within the B-1 zoning district that are used for activity that is subject to the transient occupancy tax shall be considered non-residential use property.

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ROOF SIGN. A sign erected or constructed, in whole or in part, upon or above the highest point |
of a building with a flat roof, or the lowest portion of a roof for any building with a pitched roof.

SIGN. Any device (writing, letter work or numeral, pictorial presentation, illustration or
decoration, emblem, device, symbol or trademark, flag, banner or pennant or any other device, figure,
or character) visible to and designed to communicate information to persons in a public area. However,
the term **SIGN** does not include architectural features, except those that identify products or services or
advertise a business use. The term **SIGN** also does not include the display of merchandise for sale on
the site of the display. |

SIGN FACE. The portion of a sign structure bearing the message.

SIGN STRUCTURE. Any structure bearing a sign face.

TEMPORARY SIGN. A sign constructed of cloth, canvas, vinyl, paper, fabric, or other lightweight material not well suited to provide a durable substrate or, if made of some other material, is neither permanently installed in the ground nor permanently affixed to a building or structure which is permanently installed in the ground.

VEHICLE OR TRAILER SIGN. Any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of advertising a business establishment, product, service, or activity. Any such vehicle or trailer shall, without limitation, be considered to be used for the primary purpose of advertising if it fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer.

WALL SIGN. Any sign attached to a wall or painted on or against a flat vertical surface of a structure.

WATERFRONT SIGN. A sign facing the river on riverfront property.

WINDOW SIGN. Any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.

YARD SIGN. A temporary sign that is situated on the land of a property and not attached to a structure or improvement.

(1998 Code, § 66-361) (Ord. passed 9-5-2017)

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§ 157.302 SIGNS REQUIRING A PERMIT.

(A) *Permit required.* A sign permit is required prior to the display and erection of any sign except as provided in § 157.303.

(B) *Application for permit.*

(1) An application for a sign permit shall be filed with the town on forms furnished by the town. The applicant shall provide sufficient information to determine if the proposed sign is permitted under this chapter and other applicable laws, regulations, and ordinances. An application for a temporary sign shall state the dates intended for the erection and removal of the sign.

(2) The Town Zoning Administrator or designee shall promptly process the sign permit application and approve the application, deny the application, or notify the applicant of deficiencies in the application within 20 business days after receipt. Any application that complies with all provisions of this chapter, the Building Code, and other applicable laws, regulations, and ordinances shall be approved.

(3) If the application is denied, the town shall provide a list of the reasons for the denial in writing. An application shall be denied for noncompliance with the terms of this chapter, the Building Code, or other applicable law, regulation, or ordinance.

(C) *Nonrefundable fee.* A nonrefundable fee as set forth in the uncodified fee schedule adopted by the Town Council shall accompany all sign permit applications.

(D) *Permit void after one year.* If a sign is not installed within one year following the issuance of a sign permit (or within 20 days in the case of a temporary sign permit), the permit shall be void. The permit for a temporary sign shall state its duration, not to exceed 20 days unless another time is provided in this chapter. The town may revoke a sign permit under any of the following circumstances:

(1) The town determines that information in the application was materially false or misleading;

(2) The sign as installed does not conform to the sign permit application; or

(3) The sign violates this chapter, the Building Code, or other applicable law, regulation, or ordinance.

(E) *Signs in Old and Historic Occoquan Overlay District.* All signs in the Old and Historic Occoquan Overlay District (HOD) require compliance with Architectural Review Board (ARB) guidelines except when a sign permit is not required as provided in § 157.303.

(F) *Comprehensive sign plans approval by Town Council.* The Town Council shall approve comprehensive sign plans in the B-1 District. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs shall not be modified above the height permitted in this chapter. (1998 Code, § 66-362) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.303 SIGNS NOT REQUIRING A PERMIT.

A sign permit is not required for the following:

(A) Signs erected by a governmental body or required by law;

(B) Flags up to 16 square feet in size not containing any advertising, subject to limitations on their number contained elsewhere in this chapter; provided, that no freestanding pole shall be erected in the public right-of-way nor be within five feet of a service drive, travel lane, or adjoining street;

(C) The changing of messages on marquees and the repair of an existing permitted sign, except that repair of a nonconforming sign must comply with § 157.308(E);

(D) Temporary signs as follows:

(1) For non-residential use property ~~One~~ sign, no more than 16 square feet in area, located on property where a building permit is active;

~~(2) On residential-use property, one or more temporary signs with a total area of no more than eight square feet, and which are removed within 90 days after being erected. Once removed, temporary signs may not be erected again for 30 days; and~~

~~(3) On residential-use property, window signs, provided that the total extent of window signs do not obstruct more than 25% of the total area of all windows on each building façade.~~

~~(24)~~ On any property for sale or rent, not more than one sign indicating the property is for sale or for rent with a total area of up to 16 square feet and a maximum height of six feet when the sign abuts a road with a speed limit of 25 mph or less, and when the sign abuts a road with a speed limit greater than 25 mph not more than one sign with a total area of up to 32 square feet and a maximum height of eight feet;

~~(35)~~ On any property ~~Official~~ notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his or her official or directed duties; provided, that all such signs shall be removed no more than ten days after their purpose has been accomplished;

~~(4) On residential-use property, one or more temporary signs with a total area of no more than eight square feet, and which are removed within 90 days after being erected. Once removed, temporary signs may not be erected again; and~~

~~(5) On residential-use property, window signs, provided that the total extent of window signs do not obstruct more than 25% of the total area of all windows on each building façade.~~

(E) Not more than four minor signs per parcel, consistent with the tables in §§ 157.320 through 157.322. Additional minor signs are permitted in certain districts with a permit;

(F) A-frame signs not in the public right-of-way, consistent with the tables in §§ 157.320 through 157.322;

(G) A permanent window sign, provided that the aggregate area of all window signs on each window or door does not exceed 25% of the total area of the window or door; and

(H) Box signs, consistent with the tables in §§ 157.320 through 157.322.

(I) Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows, or wall edges of any building provided such lights are white, off-white, or a color commonly considered white. Lights other than white are permitted only from October 15 through February 15.

(1998 Code, § 66-363) (Ord. passed 9-5-2017)

§ 157.304 PROHIBITED SIGNS.

In addition to signs prohibited elsewhere in this code or by applicable state or federal law, the

following signs are prohibited.

(A) *General prohibitions.* General prohibitions include:

- (1) Signs that violate any law of the state relating to outdoor advertising;
- (2) Signs attached to natural vegetation;

(3) Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized town official as a nuisance;

(4) Vehicle or trailer signs;

(5) Freestanding signs more than 15 feet in height;

(6) Vending machines within the Old and Historic Occoquan District that are outside of a wholly enclosed structure; and

(7) Any sign displayed without complying with all applicable regulations of this chapter.

(B) *Prohibitions based on materials.* Prohibitions based on materials include:

(1) Signs painted directly on a building, driveway, or road, except where expressly permitted by this chapter;

(2) Animated signs;

(3) Flashing signs;

(4) ~~Non-white colored~~ Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows, or wall edges of any building, except during the period October 15 through February 15 for temporary decorations not to exceed three months per year or not to exceed 60 consecutive days;

(5) Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas;

(6) Signs that emit sound;

(7) Any electronic sign that is generated by a series of moving images, such as a TV, digital display, or other video technology, whether displayed on a building, vehicle, or mobile unit;

(8) Strings of flags (two or more connected together) visible from, and within 50 feet of, any public right-of-way;

(9) Pole signs less than six feet in height;

(10) Feather signs;

(11) Inflatable signs;

(12) Illuminated signs, except for box signs; and

(13) Neon signs.

(C) *Prohibitions based on location.* Prohibitions based on location include:

(1) Off-premises signs;

(2) Signs erected on public land other than those approved by an authorized town official in writing, required by law without such approval, or permitted under VA Code § 24.2-310 E. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign;

(3) Signs on the roof surface or extending above the roofline of a building or its parapet wall;

(4) Any sign which obstructs visibility for motorists or pedestrians at an intersection; and

(5) Window signs whose aggregate area on a window or door exceed 25% of the total area of the window or door.

(6) Commercial yard signs in commercial districts other than signs identifying a contractor currently performing work on the site or a financial institution financing the acquisition of or work on the site.

(1998 Code, § 66-364) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.305 MEASUREMENTS OF SIGN AREA AND HEIGHT.

(A) *Supports, uprights, or structures in determining sign area.* Supports, uprights, or structures on which any sign is supported shall not be included in determining the sign area unless such supports, uprights, or structures are designed in such a way as to form an integral background of the display; except, however, when a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign area shall be computed in accordance with the preceding provisions.

(B) *Sign area.*

(1) Sign area is calculated under the following principles.

(a) With signs that are regular polygons or circles, the area can be calculated by the mathematical formula for that polygon or circle. With signs that are not regular polygons or circles, the sign area is calculated using all that area within a maximum of three abutting or overlapping rectangles that enclose the sign face.

(b) The permitted area of a double-faced sign shall be considered to be the area on one side only. If one face contains a larger sign area than the other, the larger face shall be used in calculating the sign area. A double-faced sign must have an internal angle between its two faces of no more than 45 degrees.

(c) For projecting signs with a thickness of four inches or more, the sign area also includes the area of the visible sides of the sign, calculated as a rectangle enclosing each entire side view.

(2) The maximum height for any sign shall be 15 feet unless otherwise specified within this chapter.

(3) Maximum sign area is 16 square feet unless otherwise specified within this chapter. (1998 Code, § 66-365) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.306 MAINTENANCE AND REMOVAL.

(A) All signs shall be constructed and mounted in compliance with the State Uniform Statewide Building Code, 13 VAC 5-63.

(B) All signs and components thereof shall be maintained in good repair and in a safe, neat, and clean condition.

(C) The Building Official may take action under the State Maintenance Code, after such notice as is provided by law, to address any sign which, in his or her opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in Chapters 92 and 150 of this code.

(D) Where the use or business has ceased operating, the owner of the sign or property owner shall remove the sign within 60 days of the cessation of use or business operation, or remove/replace the sign face with a blank face until such time as a new use or business has resumed operating on the property.

(E) Any sign which becomes a safety hazard or which is not kept in a reasonably good state of repair shall be put in a safe and good state of repair within 30 days of a written notice to the owner and permit holder. Any sign which constitutes a nuisance may be abated by the town under the requirements of VA Code §§ 15.2-900, 15.2-906, and/or 15.2-1115. (1998 Code, § 66-366) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.307 GENERAL REQUIREMENTS.

(A) *Placement.* Except as otherwise permitted, all freestanding signs shall leave a vertical clearance over any sidewalk of at least seven feet and shall not overhang any vehicular right-of-way.

(B) *Illumination.* All permitted signs may be indirectly lighted, unless such lighting is specifically prohibited in this subchapter. Box signs may be internally lighted.

(1) In the case of indirect lighting, the source shall be so shielded that it illuminates only the face of the sign. However, wall signs shall be indirectly illuminated or have shielded direct lighting, unless otherwise prohibited within this chapter. Indirect lighting shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be

substantially confined to the sign to minimize glare, sky glow, and light trespass. The beam width shall not be wider than that needed to light the sign.

(2) Internal illumination shall be limited to the illumination standards for outdoor lighting in § 157.287. No sign shall be permitted to have an illumination spread of more than five-hundredths foot-candle at the lot line, shine into oncoming traffic, affect highway safety, or shine directly into a residential dwelling unit. In no event shall the illumination of any sign resulting from any internal or external artificial light source exceed 100 lumens. All lighting fixtures used to illuminate a sign shall be full-cutoff, as defined by the Illuminating Engineering Society of North America (IESNA), and shall have fully shielded or recessed luminaires with horizontal-mount flat lenses that prevent upward light scatter and protect the dark night sky.

(3) All illumination for signs shall comply with provisions of §§ 157.285 through 157.288.

(C) *Waterfront signs.* See chart in §§ 157.320 through 157.322.

(D) *Banners.* In the Old and Historic Occoquan District, banner colors shall be consistent with the ARB guidelines.

(1) A banner shall not contain more than four colors.

(2) Such banners shall be attached to an existing principal structure (with a clearance of at least 12 inches from the edge of the store or building) or sign pole. They must not obscure architectural features of the building (such as windows, railings, or ornamentation) and shall not exceed 16 square feet in total area. They may be hung in a horizontal or vertical manner and shall be attached at all four corners in a taut manner.

(3) Banner permits shall be for 20 consecutive days and no more than twice in one calendar year per property.

(4) Banners installed and used for special events and festivals sponsored by the town may be erected without a permit and shall be removed within two days after the event.

(E) *Flags.* In the Old and Historic Occoquan District, flags shall be attached to an existing principal structure or pole. They must not obscure architectural features of the building (such as windows, railings, or ornamentation).

(1998 Code, § 66-367) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.308 NONCONFORMING SIGNS.

(A) Signs lawfully existing on the effective date of this chapter or prior ordinances, which do not conform to the provisions of this chapter, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the Zoning Administrator, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.

(B) No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.

(C) (1) Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign.

(2) Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.

(D) No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this subchapter.

(E) (1) A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding 50% of its area may be restored within two years after such destruction or damage but shall not be enlarged in any manner.

(2) If such sign is so destroyed or damaged to an extent exceeding 50%, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this subchapter.

(F) A nonconforming sign which is changed to becoming conforming or is replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this subchapter.

(G) A nonconforming sign structure shall be subject to the provisions of § 157.212. In addition, a nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two years or more. Such sign structure shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the Zoning Administrator or designee shall give the owner 15 days' written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

(1998 Code, § 66-368) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.309 NONCOMMERCIAL SIGNS.

Wherever this subchapter permits a sign with commercial content, noncommercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height, and construction.

(1998 Code, § 66-369) (Ord. passed 9-5-2017) Penalty, see § 10.99

SIGN REGULATIONS BY USE AND DISTRICT**§ 157.320 RESIDENTIAL DISTRICT SIGNS (R-1, R-2, R-3, R-4).**

(A) Except as otherwise prohibited in this subchapter, Table 1 below includes signs that are permitted as accessory to residential uses in residential districts. Animated signs and electronic message signs are prohibited on residential properties in all residential districts.

(B) Except as provided otherwise in this subchapter, Table 2 below includes signs that are permitted as accessory to nonresidential uses in residential districts. Animated signs are prohibited as accessory uses for nonresidential uses in all residential districts.

<i>Table 1: Residential-Use Property Signs</i>					
<i>Type</i>	<i>Flags</i>	<i>Temporary</i>	<i>Permanent-Box, Freestanding, Monument, Pole, Projecting, and Wall</i>	<i>Minor</i>	<i>Waterfront</i>
Duration	Unlimited	90 days	Unlimited	Unlimited	Unlimited
Illumination	As required by law	None	Indirect	None	Indirect
Location	See § 157.303(B)	See § 157.303 (D)	Wall, window, freestanding, or affixed to mailbox	Wall, window, freestanding, or affixed to mailbox	Wall, window, freestanding, or affixed to mailbox
Max. height	15 ft	6 ft	6 ft	6 ft	6 ft
Setback	See § 157.303(B)	None	None	None	None
Size (each/total)	16 sf/no limit	16 sf/16 sf/no limit + total	3 sf/3 sf	1 sf/4 sf	16 sf

<i>Table 2: Non-residential Use Property Signs</i>							
<i>Type</i>	<i>Flags</i>	<i>Temporary</i>	<i>Variable Message Signs</i>	<i>Permanent Box, Freestanding, Monument, Pole, Projecting, and Wall</i>	<i>Minor</i>	<i>Monument</i>	<i>Waterfront</i>
Duration	Unlimited	20 Days	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Illumination	As required by law	None	Indirect	Indirect	None	Indirect	Indirect
Materials	See flag definition	See § 157.303(D)	-	-	-	-	-
Max. height	15 ft	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft
Setback	See § 157.303(B)	None	None	None	None	None	None

Table 2: Non-residential *Use Property Signs*

Type	Flags	Temporary	Variable Message Signs	Permanent Box, Freestanding, Monument, Pole, Projecting, and Wall	Minor	Monument	Waterfront
Size (each/total)	16 sf/no limit	8 sf/8 sf	16 sf/16 sf	16 sf/16 sf	1 sf/4 sf	16 sf	16 sf

(1998 Code, § 66-391) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.321 COMMERCIAL DISTRICT SIGNS (B-1).

(A) (1) Except as otherwise prohibited in this subchapter, provided otherwise in Table 3 below includes signs that are permitted in commercial districts, the following signs are permitted as accessory uses in commercial districts.

(2) In addition, up to one minor sign per business is permitted as a wall sign.

(B) Window signs are permitted up to 25% of the area of a window and count toward the maximum square footage of wall signs. Window signs are permitted only on the first floor of a building unless the business advertised is only on the floor where the window sign is displayed.

(C) Commercial yard signs are not permitted in commercial districts.

Table 3: Commercial Signs

Type	Permanent-Box, Freestanding, Monument, Pole, Projecting, and Wall	Temporary	Flags	Minor	Waterfront	Marquee
Duration	Unlimited	20 days	Unlimited	Unlimited	Unlimited	Unlimited
Illumination	Indirect	None	As required by law	None	Indirect	Backlit, internally or indirectly
Location	Wall, window sign, freestanding or affixed to mailbox	See § 157.303(D)	See § 157.303(B)	Wall, window, freestanding, or affixed to mailbox	Wall, window, freestanding, or affixed to mailbox	SUP req.
Maximum number	4 (with no flags)*	Unlimited**	4 (with no signs)*	4 signs total without a permit; up to 2 additional with a permit	Unlimited up to maximum size	1

Table 3: Commercial Signs

Type	Permanent-Box, Freestanding, Monument, Pole, Projecting, and Wall	Temporary	Flags	Minor	Waterfront	Marquee
Maximum height	6 ft	6 ft	15 ft	6 ft	Height of building	Height of building
Setback	None	See § 157.303(D)	See § 157.303(B)	None	None	None
Size (each)	16 sf (except box signs, which are limited to 4.5 sf by definition)	16 sf total for commercial use property; 8 sf total for residential use property	16 sf	1 sf total	Total: 2 sf/linear foot of building riverfront width, divided into as many signs as occupant wishes	SUP req.
SUP req.	No	No	No	No	No	Yes
Table notes: *: Maximum number is a combination of signs and flags. There shall be no more than four signs and/or flags on any one property at a given time. **Commercial yard signs are not permitted in commercial districts.						

(1998 Code, § 66-392) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.322 HISTORIC DISTRICT SIGNS.

(A) In the Old and Historic Occoquan District, a certificate of appropriateness is required before erection or alteration of any structure.

(B) Repair of an existing sign, or replacement of an existing sign with like materials and colors, does not require a certificate of appropriateness.

(1998 Code, § 66-393) (Ord. passed 9-5-2017) Penalty, see § 10.99

SIGNS; ADMINISTRATION

§ 157.335 SIGN PERMIT PROCEDURES.

(A) *Applicability.* A sign permit shall be required for all signs erected after December 12, 1995, except for those signs specifically excluded from the sign permit requirements as provided in § 157.307.

(B) *Filing of application; fees.* Applications for sign permits shall be filed on a form provided by the town by the applicant or his or her agent. Applications for permits for signs in the Old and Historic Occoquan District shall be subject to review and approval by the Architectural Review Board. All applications for permits for signs outside the Old and Historic Occoquan District shall be subject to the review and approval of the Town Zoning Administrator, and shall contain information required in division (C) below, and shall be accompanied by a fee, as established from time to time by resolution of the Town Council.

(C) *Information required.* All applications for sign permits shall contain or have attached thereto the following information in either written or graphic form:

- (1) Name, address, and telephone number of the sign erector and the sign owner;
- (2) Positions of the sign in relation to adjacent lot lines, buildings, sidewalks, streets, and intersections;
- (3) Type of sign and general description of structural design and construction materials to be used; and
- (4) Drawings of the proposed sign, which shall contain specifications indicating the height, perimeter, and area dimensions, means of support, method of illumination, colors, and other significant aspects of the proposed sign.

(D) *Inspections.* A final inspection shall be completed after installation of approved signs. Any discrepancies between the approved sign and the sign as constructed shall be identified and may result in the halt of construction or sign removal, if so ordered by the town.

(E) *Revocations.* The town may revoke a permit or approval if it is found that there has been concealment or misrepresentation of material facts in either the application or plans.
(1998 Code, § 66-401) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.336 TEMPORARY SIGN PERMIT PROCEDURES.

(A) All applications for signs requiring the issuance of a temporary sign permit, as established in § 157.308~~2~~, shall contain all information requested by the Architectural Review Board prior to the issuance of such permit. The approved permit shall include the expiration date of the temporary permit. The applicant may request extensions of the permit for good cause. Temporary signs remaining after the expiration of the permit shall be considered obsolete.

(B) All applications for banners, as established in § 157.308~~2~~, shall contain all information requested by the town prior to the issuance of such permit. The approved permit shall include the expiration date of the temporary permit. The applicant may request extensions of the permit for good cause. Banners remaining after the expiration of the permit shall be considered obsolete.
(1998 Code, § 66-402) (Ord. passed 9-5-2017) Penalty, see § 10.99

§ 157.337 EXPIRATION OF SIGN PERMITS; SIGNS NOT CONSTRUCTED.

A sign permit shall expire and become null and void if the approved sign is not erected within a period of 12 months from the date the permit was originally issued. The town may grant one extension of the sign permit for a period of six months, but in no case shall a permit be valid for more than a total of 18 months. Extensions may be granted only when the proposed sign is in compliance with all current applicable regulations.

(1998 Code, § 66-403) (Ord. passed 9-5-2017)

§ 157.338 VARIANCES TO SIGN REGULATIONS NOT PERMITTED.

(There is no text for this section.)

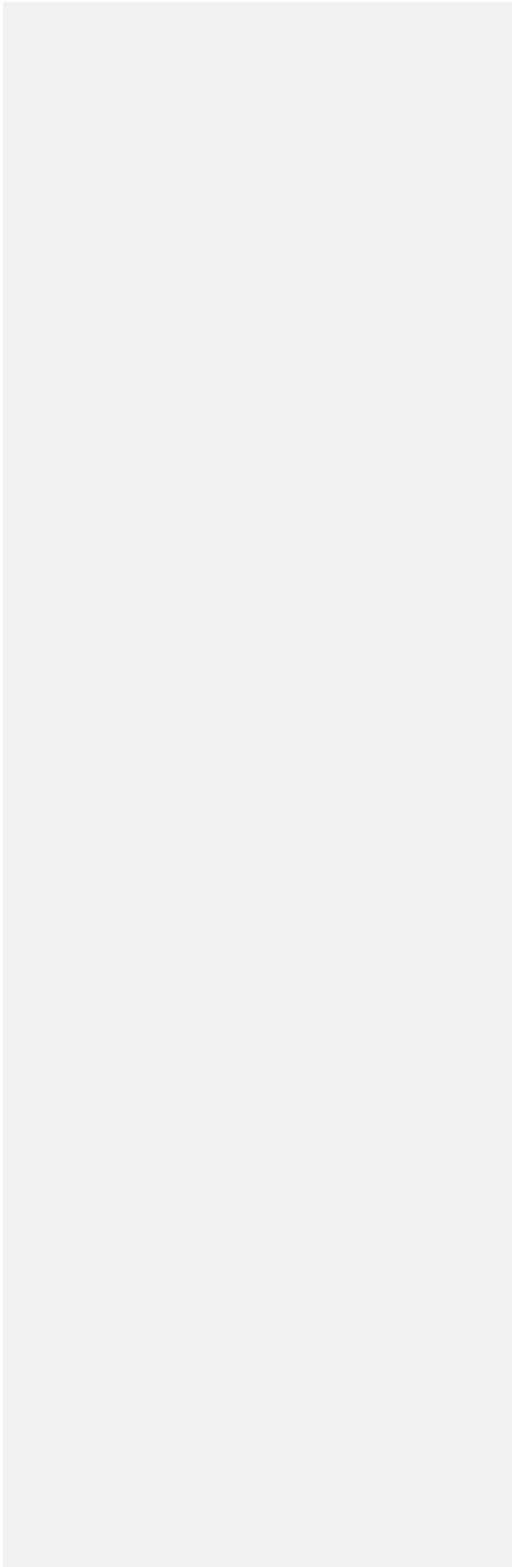
(1998 Code, § 66-404) (Ord. passed 9-5-2017)

§ 157.339 REMOVAL OF SIGNS.

(A) *Illegal signs.* The town may remove or order the removal of any illegal sign at the expense of the property owner.

(B) *Structurally unsafe signs.* Whenever in the opinion of the Zoning Administrator or building official, board a sign becomes structurally unsafe or endangers the safety of a building or premises, or endangers the public safety, or is in need of maintenance, the Zoning Administrator shall order that such sign be made safe, repaired, or removed. Such order shall be complied with within five days of receipt of the order by the person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected.

(1998 Code, § 66-405) (Ord. passed 9-5-2017) Penalty, see § 10.99





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Planning Commission

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Meet the Planning Commission

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

Eliot Perkins	Chairman	Appointment: 5/2/2017 - 6/30/2020
Ann Kisling	Vice Chair	Appointment: 5/4/2016 - 5/2/2020
Ryan Somma	Secretary	Appointment: 5/2/2017 - 2/2/2019
Jenn Mathis		Appointment: 7/24/2018- 8/7/2020
Daryl Hawkins		Appointment: 2/20/2019-2/20/2023

Meeting Dates and Time

The Occoquan Planning Commission meets at 6:30 p.m. on the fourth Tuesday of each month at the Occoquan Town Hall when it has business to conduct. Notices of meetings are posed in advance at the Occoquan Town Hall and the Occoquan Post Office. To reach the Planning commission, contact the Town Clerk by telephone at (703) 491-1918, or at info@occoquanva.gov.



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Parking and Traffic Study Recommendations

In keeping with the 2019 recommendation to prioritize *Parking and Cut-Through Traffic* from the strategic plan and continuing efforts from 2018, the Planning Commission worked to make concrete recommendations on timed parking and parking space width to the Town Council. Jenn Mathis drafted Planning Commission recommendations for timed parking within town with the goal of increasing town revenue, ensure parking for customers, and implement a program that would pay for its own enforcement through parking fines. After revisions, the Planning Commission approved the recommendations on 2019-07-23.

Beautification, Town Entrances, Streetscaping

In keeping with the Commission's 2019 recommendation to prioritize *Town Beautification* from the strategic plan, Commission Chair Eliot Perkins led efforts to address multiple landscaping issues around the Town. A major focus of these efforts was the 123 Town Entrance, where overgrowth was cleared, grass and new trees were planted. He also coordinated volunteer efforts to de-weed the area.

As part of improving the Town entrances, Anne Kisling researched signage options for the Town, cataloging the kinds of signs similar communities used for their entrances. Based on these characteristics, Darryl Hawkins designed many options for signage that represents the character of Occoquan.

Strategic Relationship Building

In keeping with the Commission's 2019 recommendation to prioritize *Promoting the Town*, Commission Member Jenn Mathis has met with representatives of Prince William County Chris Price, Deputy County Executive & Acting Director of Economic Development, and Rebecca Horner, Planning Director to learn how the Town can better coordinate with the County and learn about processes and programs Occoquan can take advantage of.

Mill at Occoquan Development

On 2019-09-24, after the developer postponed presenting their site plan for the Mill at Occoquan development, the Planning Commission opted to hold a meeting to allow citizens to provide feedback, concerns, and insights on the development. These comments were compiled and provided to the developer for consideration.



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Comprehensive Plan Action Item Tracking

The Planning Commission reviewed the action items that are still open in the Comprehensive Plan and are recommending the following priorities for 2020 for the Planning Commission, Town Council, and Town Staff.

1. Parking and Cut-Through Traffic

Action Items: 9, 10, 11, 12

With Comprehensive Plan action items #1 and #8 "*A new Town parking study should be conducted based on current and future expected growth.*" completed, it follows that action item #9 "*Based on the parking study, the Town should work on an improved parking management and execute the plan. Courses of action should be developed to improve commercial district and nearby residential area parking rules.*" With the Planning Commission's recommendations for timed parking approved, the Commission will continue to monitor the implementation of those recommendations.

Some of the Planning Commission's recommendations are intended to further other action items in the Comprehensive Plan. For example, signage and map recommendations will further action item #10 "*Continue to look for suitable close in sites and develop Town-owned parking lots.*" While timed or metered parking will further #12 "*Encourage use of business-owned vacant land for commercial parking.*" Action item #11 "*Continue to require developers to provide appropriate off-street parking*" will be an ongoing consideration in the approval of new developments.

2. Occoquan Beautification

Action Items: 18, 21, 36, 42, 50

Keeping Occoquan beautiful and inviting is a high priority for Planning Commission members and has been a focus for 2019. With significant progress made on #21 "*The Town should plan in its CIP for how to implement and finance improvements to the Town's gateways*" the Commission will continue to make progress on this item with a "Phase Two" that will include additional landscaping and new signage.

In the interest of promoting community involvement and grassroots stewardship in Town, #18 "*The Town should conduct a community study to improve and expand the use of brick sidewalks to the Town center. The study should also incorporate streetscaping, beautification, and woodland protection.*" compliments #36 "*Encourage stewardship of the Town's natural resources through increased awareness of environmental impacts from daily activities.*" and #42 "*Occoquan will work with PWC and LRPRA in order to maintain a woodland preserve buffer and scenic bypass along Tanyard Hill Road.*" These efforts could involve coordination with



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additional groups like Friends of the Occoquan and encourage in-Town grass-roots efforts like “Adopt a Road” for Tanyard Hill to get residents involved with VDOT providing safety measures. For Town budgeting priorities, #50 *“Beautification and landscaping efforts should enhance the aesthetics of the Town,”* contributes to the above efforts.

3. Promoting the Town

Action Items: 37, 38, 58

In the interests of promoting the town, better understanding the Town’s place in the larger surrounding communities, the Commission has made important progress on #37 *“Planning Commission will meet with representatives from both Prince William County and Fairfax County Planning Commissions in order to agree on a mutually beneficial and cooperative growth plan for the town and its shared surrounding areas.”* and 38 *“Create a dialogue with LRPA and the Lorton Work House Arts Center in order to enhance town goals that promote the coordination of our surrounding residential areas and neighboring artistic commercial enterprises.”* The Commission will continue efforts to forge mutually-beneficial relationships with these organizations.

The Planning Commission will also resume research on #58 *“Pursue designation as Main Street America community,”* which was started but progress was stalled due to Commission member turnover.

4. Green Government

Action Items: 55, 57

Finally, in coinciding with stewardship of the Town and its natural resources, #55 *“Develop a Green Business Recognition Program to highlight and encourage eco-friendly business practices and initiatives. Businesses to be recognized that have received a Green Certificate from a third-party organization.”* and #57 *“Participate in VML’s Green Government Challenge. Obtain at least 100 ‘Green points’ to obtain ‘Green Government’ certification.”* will compliment both beautification efforts in Town and promotion efforts.



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Other Planning Commission Operations

Date	Description
2019-01-14	Budget Recommendations
2019-03-05	Zoning Code Amendments: Home Occupation Certificate Section 157.010 Zoning Code Amendments: Special Use Permit-Section 157.123 (Setback Regulations) and Section 157.124 (Height Regulations)
2019-03-26	Kiely Court Site Plan Revision



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Appendix:

[Parking Recommendation Go Here](#)