



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

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**Occoquan Town Council**  
**Tuesday, March 5, 2019**  
**Joint Public Hearing | 7:00 p.m.**

1. Call to Order
2. Pledge of Allegiance
3. Public Hearings
  - a. Joint Public Hearing of the Town Council and Planning Commission on Amendment to Home Occupation Provisions and Amendment to the B-1 Zoning District Regulations
4. Adjournment



# TOWN OF OCCOQUAN

## TOWN COUNCIL MEETING

### Agenda Communication

<b>3. Public Hearing</b>	<b>Meeting Date:</b> March 5, 2019
<b>3A. Joint Public Hearing of the Town Council and Planning Commission on Amendment to Home Occupation Provisions and Amendment to the B-1 Zoning District Regulations</b>	

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

This is a joint public hearing of the Town Council and the Planning Commission on comprehensive revisions. The public hearing was advertised on February 8, and February 15, in InsideNOVA Prince William. The draft ordinances are available on the Town's website at [www.occoquanva.gov](http://www.occoquanva.gov) and at Town Hall. This is an opportunity for the public to provide comment on the proposed changes.

The Planning Commission will convene to discuss the recommended changes and provide a recommendation to Town Council at the conclusion of the community input period.

The request to adopt is under Regular Business on the March 5, 2019 agenda.

**Town Attorney's Recommendation:** Recommend opening the public hearing and taking public comment.

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

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

#### **Proposed/Suggested Motions:**

- 1. Town Council - Open Public Hearing**  
Mayor - Announce Participation Rules
- 2. Planning Commission - Call to Order**  
Chair - Perform Roll Call, Note Members Present
- 3. Mayor and Planning Commission Chair - Open Public Hearings on Home Occupation Provisions**

**4. Mayor and Planning Commission Chair Close Public Hearing on Home Occupation Provisions**

**"I move to close the public hearing."**

**OR**

**"I move to continue the public hearing until [date]."**

**5. Mayor and Planning Commission Chair - Open Public Hearings on Amendment to the B-1 Zoning District Regulations**

**6. Mayor and Planning Commission Chair - Close Public Hearing on Amendment to the B-1 Zoning District Regulations**

**"I move to close the public hearing."**

**OR**

**"I move to continue the public hearing until [date]."**

**7. Planning Commission - Make Recommendation  
Chair - Request for recommendation to Council, Vote**

**OR**

Other action Council deems appropriate.

**Attachments: (4)**

- 1. Original Version of Section 157.010 - Home Occupation Certificate**
- 2. Proposed Ordinance Draft A - Home Occupation Certificate**
- 3. Proposed Ordinance Draft B - Home Occupation Certificate**
- 4. Proposed Ordinance - Special Use Permits**

# Original Version

## § 157.010 HOME OCCUPATION CERTIFICATE.

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

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

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

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

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

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

### Draft A

#### § 157.010 HOME OCCUPATION CERTIFICATE.

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

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

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

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

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

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

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

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

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

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

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

**MOTION:**

**SECOND:**

**RE:**

**ACTION:**

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

**Regular Meeting**

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

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

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

**Town Clerk**

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

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

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

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

### Draft B

#### § 157.010 HOME OCCUPATION CERTIFICATE.

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

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

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

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

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

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

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

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

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

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

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

**MOTION:**

**SECOND:**

**RE:**

**ACTION:**

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

**Regular Meeting**

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

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

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

**Town Clerk**

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

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

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

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

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

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

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

**MOTION:**

**SECOND:**

**RE:**

**ACTION:**

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

**Regular Meeting**

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

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

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

**Town Clerk**

**Attachment 1**