REGULAR PLANNING COMMISSION MEETING

Wednesday, June 18, 2025 @ 7:00pm
Warren County Government Center

I. CALL TO ORDER

II. ROLL CALL – DETERMINATION OF QUORUM

III. ADDITION/DELETION OF ITEMS FROM THE AGENDA

[Items added will be placed as the last item under Business Items. Unanimous vote is required to add/delete]

IV. APPROVAL OF MINUTES

- May 21, 2025 – Regular Meeting

V. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

VI. CONSENT AGENDA

I move that the Planning Commission approve the Consent Agenda to publicly advertise for a public hearing in July as presented. [Items removed for further discussion will be placed as the first item under Business Items. Unanimous vote is not required to move]

- **2500298 –** A request for a Special Use Permit submitted by the Warren Coalition for a lodging house at 437 S. Royal Avenue, identified by Tax Map 20A7, Section 3, Lot 10. The property is zoned C-1, Community Business District and is located within the Entrance Corridor.

VII. PUBLIC HEARING

- **2500238** – A Rezoning Application submitted by Stephen C. Williams, Esq./Trustee requesting an amendment to the zoning map to reclassify vacant lots on Elsia Drive identified by Tax Map 20A6, Section 1, Parcels 5C and 6, from C-1, Community Business District to R-3, Residential District.

VIII. COMMISSION MEMBER REPORTS

IX. PLANNING DIRECTOR REPORT

- May Monthly Report

X. ADJOURNMENT

*There will be a work session immediately following the regular meeting to discuss the following:

- Article 11 – Definitions (Draft Zoning Ordinance)

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

The Planning Commission meeting of the Town of Front Royal, Virginia was held on May 21, 2025, at 7:00 PM at the Warren County Government Center.

CALL TO ORDER

Chairman Marshner called the May 21, 2025 meeting of the Planning Commission to order at 7:00 pm.

ROLL CALL

Present: Connie Marshner, Chairman
Allen Neel, Vice Chairman
Megan Marrazzo, Commissioner
Andrew Brooks, Commissioner
Teresa Fedoryka, Commissioner

Staff Present: Lauren Kopishke, Planning Director / Zoning Administrator
John Ware, Deputy Zoning Administrator
George Sonnett, Town Attorney
Connie L. Potter, Executive Assistant, Clerk of the Planning Commission

ADDITION/DELETION OF ITEMS FROM THE AGENDA

There were no additions or deletions to the agenda.

APPROVAL OF MINUTES

- April 16, 2025 – Regular Meeting

Commissioner Marrazzo moved, seconded by Vice Chairman Neel that the minutes of the April 16, 2025 be approved with the modification of two small parts. Changing "agrees" to "does not agree" and "does" to does not, otherwise as presented.

VOTE: Yes – Marrazzo, Neel, Brooks, Fedoryka, Marshner
No – N/A
Abstain – N/A
Absent – N/A VOICE VOTE

CITIZEN COMMENTS

There were no speakers present.

CONSENT AGENDA

- **2500238 –** A Rezoning Application submitted by Stephen C. Williams, Esq./Trustee requesting an amendment to the zoning map to reclassify vacant lots on Elsia Drive identified by Tax Map 20A6, Section 1, Parcels 5C and 6 from C-1, Community Business District to R-3, Residential District. (*Consent to advertise for public hearing at the June 18, 2025 regular Planning Commission meeting.)*

Commissioner Brooks moved, seconded by Vice Chairman Neel that the Planning Commission approve the consent agenda to publicly advertise for a public hearing in June as presented. Specifically, 2500238 Rezoning Application.

Vote: Yes – Marshner, Brooks, Neel, Marrazzo, Fedoryka
No – N/A
Abstain – N/A
Absent – N/A VOICE VOTE

PUBLIC HEARING

Chairman Marshner reviewed the procedures for a public hearing.

- **2500104** – A Special Use Permit Application for a Farmers Market submitted by Julie Vaught, on behalf of Happy Creek Antiques, located at 515-B N. Commerce Avenue, identified by Tax Map 20A4, Section 10, Lot 8. The property is zoned C-1, Community Business District.

Mr. Ware reviewed portions of Town Code pertinent to Special Use Permit applications. He also reviewed portions of Virginia State Code § 15.2286(A)(3) stating a governing body is authorized to grant Special Use Permits "under suitable regulations and safeguards". Under Virginia law, the conditions imposed must bear a reasonable relationship to the legitimate land use concerns and problems generated by the use of the property. Unlike proffers that accompany a rezoning considered by the locality's governing body, Special Use Permit conditions are not volunteered by the landowner and need not be developed through negotiations.

Special Use Permit application #2500104 is a request for a farmers market located at 515-B N. Commerce Avenue. The property is located in the C-1, Community Business District. In accordance with Town Code, farmers markets can be approved by Special Use Permit in the C-1 zoning district.

Mr. Ware read the definition of "Farmers Market" from Town Code Chapter 175-3. Currently the primary use is retail with Happy Creek Antiques in a portion of the building on N. Commerce Avenue. "Urban Agriculture" is an allowed accessary use. Should the Special Use Permit for a farmers market be granted approval the raising of crops under urban agriculture would be allowed as an accessory use at the farmers market.

According to the survey plat submitted with the application the parcel can accommodate a total of 102 parking spaces. However, not all of the spaces have been properly marked or delineated. The area defined as the farmers market can accommodate 61 parking spaces with 11 spaces being earmarked for the raised beds leaving approximately 50 spaces remaining. As the primary use is the retail shop it would require 39 spaces. The applicant does have sufficient parking for the uses. Staff recommends approval with the appropriate conditions.

Julie Vaught, 18 Meadow Brook Lane, Huntly, VA. Ms. Vaught thanked the Planning Commission for allowing her to speak regarding her application. Their goal is to use the space to offer good nutrition for the community. Local farmers would be able to set up and sell their produce and allow the community to garden when they aren't able to have gardens of their own. The community garden could provide nutritional food at a discount rate or possibly be free.

Commissioner Marrazzo mentioned that the areas delineated on the survey plat are primarily for the gardens but also for vendors at the farmers market. She asked if those areas would be sufficient to sell not only agricultural products but also meat products.

Ms. Vaught explained there are electrical outlets outside where a freezer could be plugged into to store and sell meat.

Commissioner Marrazzo asked if those vendors were primarily fall under Debbie's Lighthouse and Happy Creek Antiques or was it outside of that as well.

Ms. Vaught stated many vendors had already been in contact with her once she had applied with the Special Use Permit to say they were interested in participating.

Chairman Marshner asked Ms. Vaught to explain the community garden aspect of the project.

Ms. Vaught explained that when she submitted the application it was for the uses to come in stages. The area in the rear of the property is still wooded and grassy and needs to be cleaned up. The raised beds make it easier to begin the project with the goal to add the community garden by next spring.

Chairman Marshner asked what her understanding was of a community garden.

Ms. Vaught said the community garden could be used in multiple ways. Just like the raised beds where people could lease space, individuals could lease space in the community garden when they

are unable to have a garden where they live. There are needs in the community and she explained that Debbie's Lighthouse is a non-profit that is in memory of her mother. It is to help provide for those in need in the community. In 2024 they began serving free lunches at the Salvation Army for anyone who needed food could come and pick up those lunches. They also collect can and dry goods and distribute those items at particular times. The community garden would be an extension of that outreach and allow individuals to take part in their own wellbeing by helping in the garden to provide fresh produce.

Debbie's Lighthouse will manage the community garden. There will be specific hours of operation and a locked gate during the night.

Commissioner Brooks asked what material would be used to construct the raised beds.

Ms. Vaught said wood is the easiest material to use and could be recycled and easily replaced. She mentioned using wood from pallets.

Commissioner Fedoryka asked if vendors would be selling homemade items such as jams, jellies, cheeses, etc.

Ms. Vaught explained that any items allowed according to Town Code could be sold at the farmers market. She will be vetting vendors. In the future she would like to involve children by providing a gardening workshop as well as horticultural education for both children and adults.

Chairman Marshner noted that beef could not be raised on the property but asked if Ms. Vaught planned on raising bees on the property for honey. She also asked if she would only be selling edible items.

Ms. Vaught lives on a farm where they raise beef. In addition, she has a cousin who has an apiary where he is making and selling honey. She said she does not want vendors to be making necklaces and such and selling those types of items at the farmer's market. Her focus is on selling items that are edible.

Chairman Marshner opened the public hearing.

There were no speakers present. Chairman Marshner closed the public hearing.

Vice Chairman Neel moved, seconded by Commissioner Marrazzo that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2500104 for a farmers market at 515-B N. Commerce Avenue with the following conditions:

1. ***The Applicant shall mark directional arrows in the parking lot to guide traffic flow prior to the commencement of use.***

2. ***The Applicant shall restripe parking spaces to Town Standards prior to the commencement of use.***
3. ***Produce offered must be grown or produced by one of the participating vendors.***
4. ***Farmers market areas must be confined to the parking lot area highlighted in the undeveloped area of the northeast quadrant of the application.***
5. ***Farmers market cannot interfere with the utilization of existing businesses of a minimum thirty-nine (39) parking spaces.***

Commissioner Brooks did not think that number 3 needed to be included as a condition. Town Code Chapter 175-3 under Farmers Market specifically outlines this.

Chairman Marshner thought Vice Chairman Neel wanted to avoid someone buying tomatoes at Cosco and then sell them at the farmers market,

Commissioner Brooks referred to the Town Code definition of Farmers Market, and it states "…which have been grown or produced by the vendor offering the same for sale". He believes this addresses condition 3 and still feels this condition is not needed.

Mr. Sonnett explained that if Commissioner Brooks was making an amendment it should be addressed at this time.

Commissioner Marrazzo said there may be additional amendments and confirmed with Mr. Sonnett they will need to be addressed one at a time.

A new motion was made by Vice Chairman Neel.

Vice Chairman Neel moved, seconded by Commissioner Marrazzo that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2500104 for a farmers market at 515-B N. Commerce Avenue with the following conditions:

1. ***The Applicant shall mark directional arrows in the parking lot to guide traffic flow prior to the commencement of use.***
2. ***The Applicant shall restripe parking spaces to Town Standards prior to the commencement of use.***
3. ***Farmers market areas must be confined to the parking lot area highlighted in the undeveloped area of the northeast quadrant of the application.***
4. ***Farmers market cannot interfere with the utilization of existing businesses minimum requirement of thirty-nine (39) parking spaces.***

Mr. Sonnett recommended that Chairman Marshner consider this as a withdrawn and resubmitted motion.

Chairman Marshner confirmed the recommendation by Mr. Sonnett.

Commissioner Marrazzo referred to condition #3 related to confining to the areas highlighted in the northeast quadrant. With that area in the northeast quadrant being under more of a community garden aspect and not as much as a farmers market, would that not be qualified under urban agriculture and not farmers market. Do we need to consider any restrictions on that side because it is an accessory use if they are using that part of the property in an urban agriculture way. She said she was looking at this from the perspective of the restrictions being on things that need to be restricted as something that could impact traffic and the use of the space where people will be walking around and the dangers that could potentially pose. It is separate from the gated closed off area and she wondered if that is considered urban agriculture use and potentially wouldn't need condition #3.

Mr. Ware said to keep in mind that under urban agriculture if you restrict the area it could not be used by vendors. If you limit the area to community garden then the community garden members could not be vendors.

At the request of Chairman Marshner, Mr. Neel repeated the motion.

Vice Chairman Neel moved, seconded by Commissioner Marrazzo that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2500104 for a farmers market at 515-B N. Commerce Avenue with the following conditions:

1. ***The Applicant shall mark directional arrows in the parking lot to guide traffic flow prior to the commencement of use.***
2. ***The Applicant shall restripe parking spaces to Town Standards prior to the commencement of use.***
3. ***Farmers market areas must be confined to the parking lot area highlighted in the undeveloped area of the northeast quadrant of the application.***
4. ***Farmers market cannot interfere with the utilization of existing businesses minimum requirement of thirty-nine (39) parking spaces.***

VOTE: Yes – Marrazzo, Marshner, Fedoryka, Brooks, Neel
No – N/A
Abstain – N/A
Absent – N/A ROLL CALL

- **2500108** – A Special Use Permit Application to allow a short-term rental, submitted by Home Base Holdings LLC, located at 66 W. Strasburg Road, identified by Tax Map 2012, Section 3, Lot 31B. The property is zoned C-1, Community Business District.

Mr. Ware explained that application 2500108 was a Special Use Permit for a short-term rental at 66 W. Strasburg Road. This will be a whole house rental with one (1) bedroom and no more than two (2) occupants. Staff conducted an inspection on May 13, 2025 in which the home passed

inspection however it does not meet the parking requirements requiring two (2) off-street parking spaces.

Vice Chairman Neel asked if there was access to create parking on the lot.

Mr. Ware said in staff's opinion, yes.

Amber Martin, 519 Totten Lane, Front Royal, VA spoke representing the owners/applicants Stephen and Vanessa Talbott. They use this property as a second home and enjoy coming to Front Royal to hike in the national and state parks. Ms. Martin said the owners would be happy to build the required driveway spaces that would meet the Town Code short-term rental regulations once the neighboring property townhome construction is completed. She said currently there is sufficient street parking and noted that this is a dead end street with only two (2) occupied homes. It is the applicants' understanding that it will be months before there will be any additional occupants on W. Strasburg Road. Waiting for the new homes to be complete would allow them to design the spaces that would better fit the new look and match with the townhomes.

Vice Chairman Neel confirmed with Ms. Martin that they do not intend to construct the new parking spaces until the townhomes are complete.

Ms. Martin said that would be the wish of the applicants because the existing driveway entrance is shared by the adjacent property owners. She stated the applicants would be happy to install the parking spaces but did not want to have to do it twice.

Ms. Kopishke explained the applicants could wait until the townhomes are developed if this is placed as a condition, however if the townhomes are not developed they would then not be able to provide parking. They would not receive the Special Use Permit until the parking is installed.

Chairman Marshner opened the public hearing.

There were no speakers. Chairman Marshner closed the public hearing.

Commissioner Marrazzo moved, seconded by Commissioner Fedoryka that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2500108 for a short-term rental located at 66 W. Strasburg Road with the following conditions, one of which must be met:

1. ***Either the applicant must secure a Special Exception to the current parking requirements for the two off-street parking spaces.***

   OR

2. ***The current plan goes through of the adjoining property being developed and they are able to create those two (2) off-street parking spaces prior to the commencement of use.***

After some discussion among Commission members with regard to the two (2) conditions, Chairman Marshner asked Commissioner Marrazzo to repeat the motion.

Commissioner Marrazzo moved, seconded by Commissioner Fedoryka that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2500108 for a short-term rental located at 66 W. Strasburg Road with the following conditions, one of which must be met before the permit is issued:

1. ***The applicant is able to secure a Special Exception to the two (2) required off-street parking spaces; or***
2. ***They are able to develop and maintain two (2) off-street parking spaces.***

VOTE: Yes – Fedoryka, Marshner, Neel, Marrazzo, Brooks
No – N/A
Abstain – N/A
Absent – N/A ROLL CALL

NEW BUSINESS

- **2500050** – An Application for Preliminary Plat Approval for a major subdivision submitted by Chris Hornung, Rappahannock HC, LLC for a subdivision containing ninety-seven (97) dwelling units located at 1321 Happy Creek Road, identified on Tax Map 20A21, Section 2, Lot 4. The property is zoned R-1, Residential District.

Mr. Ware explained that application #2500050 was for preliminary plat approval for a major subdivision containing ninety-seven (97) dwelling units located at 1321 Happy Creek Road. The property was rezoned in 2024, and a special exception was granted in April 2025 for the reduction of street width. Mr. Ware reviewed portions of Town Code pertinent to the application.

This approval is not for the subdivision or construction. The application meets all requirements of the checklist in Town Code and was reviewed by the Department of Transportation, Public Works and Energy Services. All comments by the review agencies have been addressed by the applicant. After approval of the preliminary plat the applicant has thirty-six (36) months to submit the plan/plat and have it approved.

Part of the project does contain steep slopes. Town Code encourages innovative development in Front Royal providing the flexibility necessary to produce environmentally sensitive subdivisions with direct building, parking and street locations to terrain more suitable for development. The lots have been reduced from 104 to 97 with some open space lots. Open space will be in the rear of the lots. The applicant took into account the steep slopes. Mr. Ware gave a virtual presentation showing the concept plan on how the applicant will utilize terracing with open spaces to mitigate the steep slopes.

DRAFT

The applicant Chris Hornung, Vice President of the Rappahannock Development Group was present to answer questions.

Vice Chairman Neel thanked Mr. Hornung for submitting a very professional plan.

Chairman Marshner commended Mr. Hornung on the very creative terracing.

Commissioner Brooks moved, seconded by Vice Chairman Neel that the Planning Commission approve Application #2500050, Preliminary Plan Approval Major Subdivision submitted by Rappahannock HC, LLC located at 1321 Happy Creek Road with no conditions.

VOTE: Yes – Marshner, Marrazzo, Neel, Brooks, Fedoryka
No – N/A
Abstain – N/A
Absent – N/A ROLL CALL

COMMISSION MEMBER REPORTS

Chairman Marshner read the following statement into the record:

"I want to take a moment to remind the Planning Commission that we are appointed by the Town Council to advise the Council and to make recommendations to them. We are not elected officials in our own right. Because we serve in an advisory capacity, we must be objective and dispassionate with regard to matters as they come before the Commission which we are currently or may in the foreseeable future be called upon to advise.

We continue to be private citizens with rights of free speech, and as such are entitled to express our own personal views and opinions – however, they are exactly that: our private views and opinions, which we are free to express separately from matters and evidence as presented to the Commission for evaluation on the merits.

No single member of the Planning Commission is authorized to speak on behalf of the Commission or in its name without the consent of the Commission."

Commissioner Marrazzo shared that on May 10th she attended an informational forum on data centers and how they affect the land and community. She shared some things for the Planning Commission to consider if and/or when they look at the potential zoning requirements for data centers. There is the possibility of obsolescence for them in the next 5-10 years as technology continues to move forward at an incredibly rapid rate. She believes it to be important for the Commission to consider what is done with the leftover "box". Commissioner Marrazzo said she would hate to see land and so much of it be taken up by a data center only to have it become an eyesore that is also an abandoned location. There are also some aspects of environmental risks depending on the type of fueling systems they use, and the power drawn. Infrastructure available

in the area is something the Commission should be heavily considering. Not directly related to the land use aspect but one of the appealing things about data centers is the incredible potential for tax revenue they produce. However you cannot ever really know who the end user is of any given data center as it happens. For example, if a data center decides to have certain federal contracts then there is no personal property taxes that can be assessed by the community.

Chairman Marshner stated the Planning Commission is not currently considering any such matters.

Commissioner Marrazzo noted there are no applicants for data centers in this area right now.

PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the April monthly report.

Ms. Kopishke noted it had been a while since looking at the Draft Zoning Ordinance and said she would like to bring it back for review in July. She is working on a use table that shows the uses with the corresponding definitions.

ADJOURNMENT

Commissioner Fedoryka moved, seconded by Commissioner Brooks to adjourn the meeting.

VOTE: Yes – Brooks, Marshner, Neel, Fedoryka, Marrazzo
No – N/A
Abstain – N/A
Absent – N/A VOICE VOTE

The meeting was adjourned at 8:10 p.m.

Approved by Planning Commission
Date: _____

DRAFT

CONSENT AGENDA

2500298 – A request for a Special Use Permit submitted by the Warren Coalition for a lodging house at 437 S. Royal Avenue, identified by Tax Map 20A7, Section 3, Lot 10. The property is zoned C-1, Community Business District and is located within the Entrance Corridor.

RECEIVED
JUN - 9 2025
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

SPECIAL USE PERMIT # 2500298

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING AND ZONING
102 EAST MAIN STREET, PO BOX 1560
FRONT ROYAL, VA 22630

Main 540-635-4236
Fax 540-631-2727
www.frontroyalva.com

SPECIAL USE PERMIT REQUEST

APPLICANT:

Name: Warren Co. Community Health Coalition PHONE: [redacted]

Address: 538 Villa Ave. PO Box 2058 Front Royal, VA 22630

Email: [redacted]

PROPERTY OWNER: WP Royal Ave LLC

Name: ~~Dawn Weber/Weber Properties~~ PHONE: [redacted]

Address: 4641 Sudley Rd Carthapian, VA 20143

Email: [redacted]

PROPERTY DESCRIPTION:

Property Address: 437 S. Royal Ave. Front Royal, VA 22630

Tax Map 20A7 Section 3 Block _____ Lot 10

Subdivision Name: _____ Acreage: _____ Zoning District: C-1

REQUEST:

Proposed Use of Property: Shelter for homeless women with children

Specific Special Use Permit Request: Use of 3 bedrooms, a children's playroom, a kitchen space(shared) and a bathroom with a shower. There is a separate entrance for the people who are staying in the Safe Place. The space will accommodate 10 people (a combination of women and children).

Attachments – The following ***must*** be submitted with the application. Additional information may be required depending on the nature of the request.

1. Survey Plat of property showing all **existing** improvements. **(3 Originals and a Digital Copy)**
2. Preliminary Site Development Plan required for new development or a Conceptual Drawing for existing structures.
3. Application Fee of $1000.00 Form of Payment: credit card Date Paid: 6/9/25
4. Additional information as required by the Department of Planning and Zoning.

CERTIFICATION:

I certify that the information provided with this application is correct to the best of my knowledge and should the Special Use Permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Applicant Signature: _____ Date: 6/9/2025

Property Owner Signature: Dawn Weber Date: 6/12/25

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

Revised 6-5-2025

Justification for Special Use Permit

Project Safe Place is an opportunity to provide safe housing and support services to homeless women and their children in Warren County. Each year members of the Warren Coalition's Adult Committee get many calls from desperate women who have no place to stay who have children with them. With no shelter for women with children in Warren County, the news is often bleak-particularly in the winter. Agencies have no or limited funds to put people in hotels-sometimes people get lucky and they can get a week in a motel. Other times the call receiver is praying under their breath, "I hope you don't freeze to death, tonight." As a committee, we have run joint fundraisers to have some emergency funds, we have also applied for some emergency funds together, but $10,000 doesn't go far with hotel stays costing $400 per week if space exists.

As of February 2025, there are 27 children and 11 mothers living in motels, 39 children who are living in a doubled up with family in very tight quarters and 13 mothers, 2 children and 2 mothers living in cars, 1 mother and 1 child living in a tent at campground and 4 unaccompanied homeless youth. Based on previous experience in trying to house women with children, the process can take12-16 weeks. With room for 10 women/children at any one time and splitting the difference for the time to rehouse people, we anticipate being able to offer the opportunity to 40 people in any given year.

Homelessness numbers among women with children will show a 30% decrease over previous year's numbers based on the McKenney Vento numbers from Warren County Public Schools.

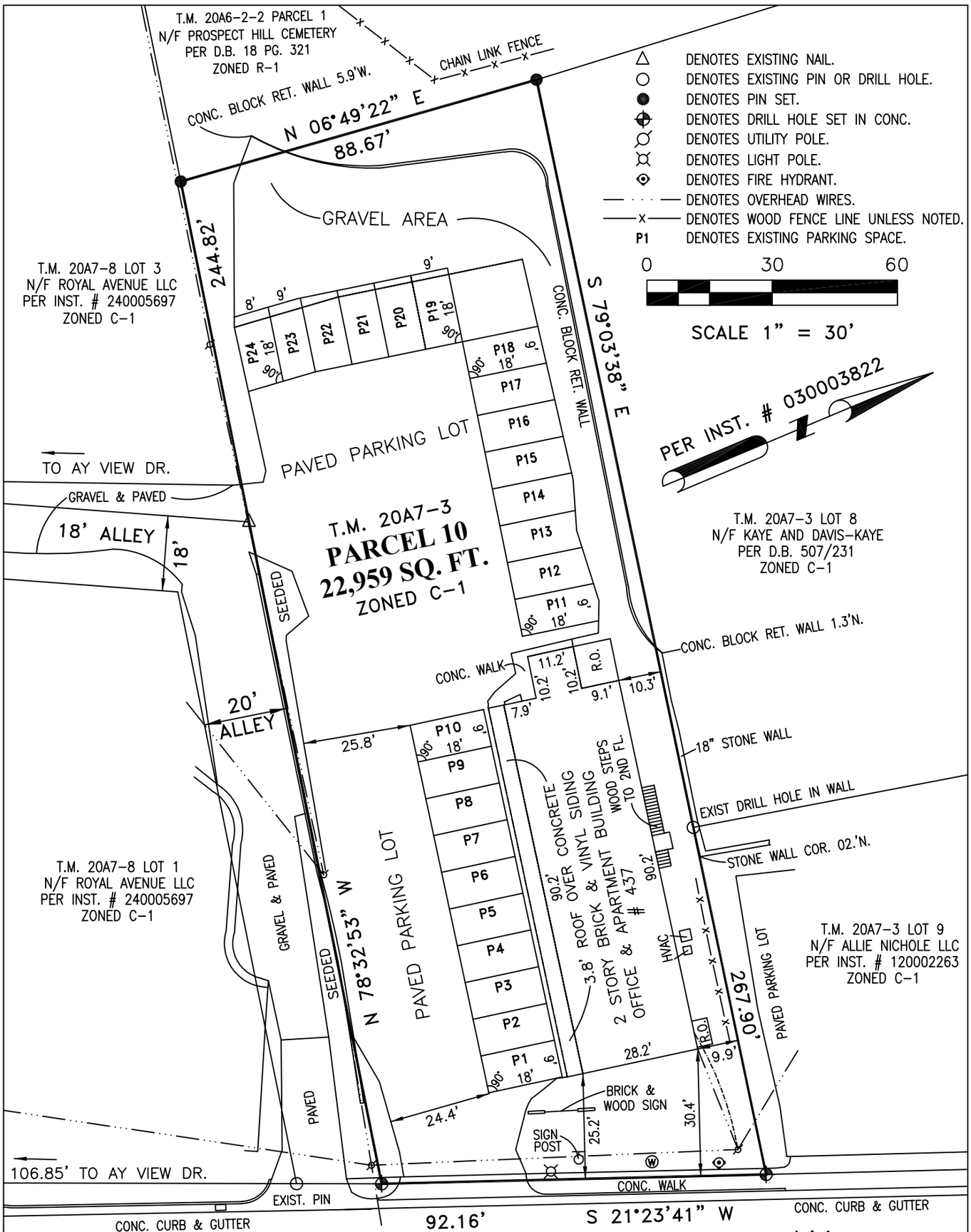
Children in Project Safe Space will have an additional adult support person who supports them seeking to increase their resilience and school attendance. Upon entry into Project COURAGE students take assessments for resilience, anxiety and hope. These are checked again at the end of the year and the results are reported. Children who are more resilient are less likely to suffer from mental health issues and misuse substances. This will also track their attendance and their grades in comparison to the prior year-if they are in Warren County schools to see if they improve with stable housing.

Mothers' abilities to manage their finances will increase allowing them to save money to be used to move into a new space so new families can advantage of the program.

Having a case manager at the Dept of Social Services will ensure that all benefits mothers are eligible for are obtained making it possible to have health care and preventative checks which will bring overall better health and fewer missed days at work.

Regular ongoing mental health counseling will show mothers missing fewer workdays and being able to be more present with their children.

Pursuing job coaching and additional job training will result in mothers being able to get better paying jobs as seen in better take home pay, employer-based health insurance and a reduction in use of public assistance like SNAP and Medicaid.



S. ROYAL AVE. - RT. 340

VARIABLE WIDTH R/W

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DERIVATION OF TITLE TO: WP ROYAL AVE LLC
PER INST. # 250000778.

PLAT REF: INST. # 030003822.

SUBJECT PARCEL SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

SURVEY OF THE WP ROYAL AVENUE LLC
PROPERTY PER INSTRUMENT # 250000778

FORK MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

COMMONWEALTH OF VIRGINIA
Joseph G. Brogan Jr.
JOSEPH G. BROGAN, JR.
Lic No. 3209
6/10/2025
LAND SURVEYOR

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578,
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
JUNE 10, 2025

PUBLIC HEARING

2500238 – A REZONING APPLICATION SUBMITTED BY STEPHEN C. WILLIAMS, ESQ./TRUSTEE REQUESTING AN AMENDMENT TO THE ZONING MAP TO RECLASSIFY VACANT LOTS ON ELSIA DRIVE IDENTIFIED BY TAX MAP 20A6, SECTION 1, PARCELS 5C AND 6, FROM C-1, COMMUNITY BUSINESS DISTRICT TO R-3, RESIDENTIAL DISTRICT.

Town of Front Royal, Virginia

Planning Commission Regular Meeting Agenda

☐ Consent Action ☐ Administrative Action ☑ Public Hearing ☐ Discussion

Agenda Item: Rezoning Application # 2500238

MEETING DATE: June 18, 2024

SUMMARY: The application for review is requesting a zoning map amendment to the Zoning Map of the Town of Front Royal to reclassify two (2) vacant lots on Elsia Drive identified by Tax Map 20A6, Section 1, Parcels 5C and 6, from C-1, Community Business District to R-3, Residential District.

STAFF RECOMMENDATION:

Staff recommends approval. The area is well suited for uses contained in the R-3 zoning district. This portion of town does not have walkable access to commercial development and the site would be challenging to develop in a commercial capacity without direct access to S. Royal Avenue or W. Criser Road. Commercial development could potentially increase traffic through the Ay View Estates neighborhood and disrupt the residential area.

DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Rezoning Application #2500238 to reclassify two (2) vacant lots on Elsia Drive identified by Tax Map 20A6, Section 1, Parcels 5C and 6, from C-1, Community Business District to R-3, Residential District."

"I move that the Planning Commission keep the public hearing open to allow staff time to ascertain additional information regarding _____.

"I move that the Planning Commission forward a recommendation of denial to the Front Royal Town Council for Rezoning Application #2500238 to reclassify two (2) vacant lots on Elsia Drive identified by Tax Map 20A6, Section 1, Parcels 5C and 6, from C-1, Community Business District to R-3, Residential District."

NOTE: These are only a draft motions. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Marshner _____ Marrazzo _____ Neel _____ Brooks _____ Fredoryka _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

STAFF REPORT - REZONING APPLICATION #2500238
PLANNING COMMISSION REGULAR MEETING – JUNE 18, 2025

APPLICATION #:

Rezoning Application #2500238

APPLICANT:

Stephen C. Williams, Esq./Trustee

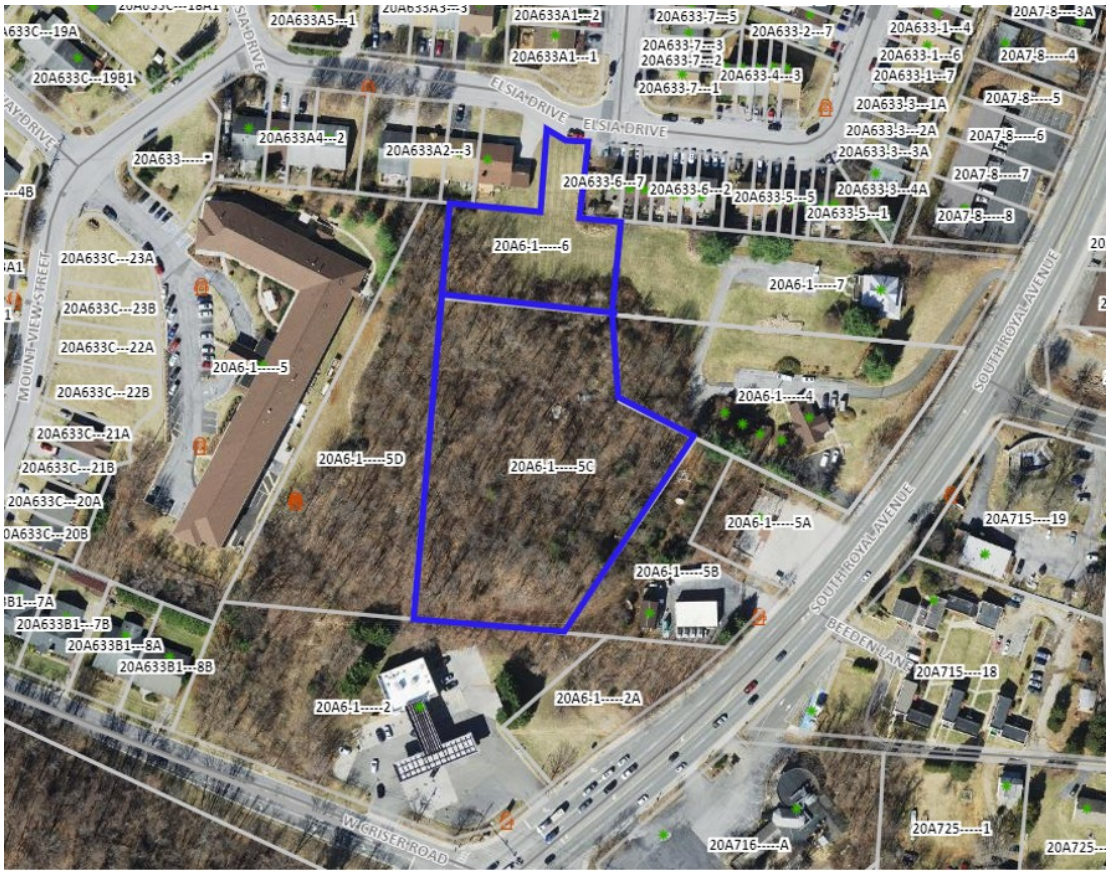
SUMMARY OF REQUEST:

The application for review is requesting a zoning map amendment to the Zoning Map of the Town of Front Royal to reclassify two (2) vacant lots on Elsia Drive identified by Tax Map 20A6, Section 1, Parcels 5C and 6, from C-1, Community Business District to R-3, Residential District.

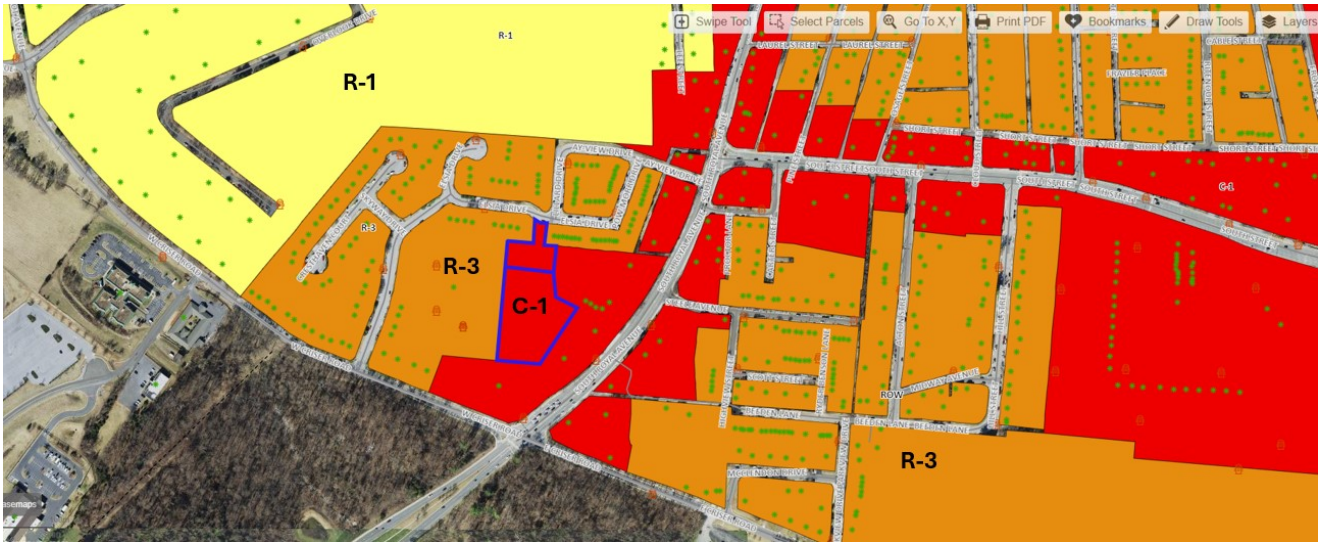
GENERAL INFORMATION:

Site Addresses	Elsia Drive
Property Owner(s)	James E Williams Family Trust
Existing Zoning	C-1, Community Business District
Proposed Zoning	R-3, Residential District
Tax Identification	20A6-1-5C and 6
Location	The northwest quadrant of the intersection between S. Royal Avenue and W. Criser Road. The property is accessed from Elsia Drive.

AERIAL VICINITY MAP – (Warren County GIS)



AERIAL MAP – ZONING DISTRICTS



INFORMATION ON THE APPLICATION:

Application Documents	**ATTACHMENT A: APPLICATION** • **Application Form.** This is the standard application form used to initiate rezoning applications in the Town. • **No proffers were volunteered by the Applicant.** **ATTACHMENT B: STATEMENT OF JUSTIFICATION LETTER.** *"Our family owns three adjacent parcels. Two of the parcels are zoned C1 and the third parcel is already zoned R3. Our request is to rezone the other two parcels to R3 to create consistency across all three parcels which will enable the lots to be used for the highest and best use and a broader range of uses, including, but not limited to potentially adding more units for the adjacent continuous care retirement facility, additional townhouses or apartment buildings."* **ATTACHMENT C: PLAT** • **Plat.** A survey plat of the property showing property.
Zoning Ordinance	The statements of intent of the two (2) identified zoning districts as set forth in the Front Royal Zoning Ordinance are as follows: **C-1 Community Business District, Zoning Ordinance Sec. 175-38** The Community Business C-1 District is intended to accommodate general business areas, highway-oriented commercial uses, and selected retailing operations. The Community Business C-1 District recognizes the demand for a variety of land uses near or adjacent to the major traffic arteries in Town.

	R-3 District, Zoning Ordinance Sec. 175-28 The R-3 Residential District is composed of medium-to-high density concentrations of residential uses. The standards for this district are designed to stabilize and protect the essential character of the area so designated and to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for families desiring the amenities of apartment living and the convenience of being closest to shopping, employment centers and other community facilities. Development is, therefore, limited to medium- to high-density concentration, and permitted uses are limited to single-family, two-family and multifamily dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities. Home occupations, as defined by this chapter, are permitted. Mobile homes are prohibited. **Differences between C-1 and R-3 Zoning Districts** The main difference in these districts is the distinction between commercial and residential uses. The R-3 designation allows for and encourages higher density residential uses. In commercial districts, high density housing is often times appropriate due to providing walkability and easy access to amenities.
Town Comp. Plan	Prospect Hill Planning Area consists of 126.4 acres. It is bordered to the north by W. Stonewall Drive and Luray Avenue; to the east by W. Criser Road; to the south and west by South Royal Avenue. The future land use map denotes the proposed rezoning parcels to be developed as residential.

Findings and Analysis & Staff Recommendation

Staff recommends approval. The area is well suited for uses contained in the R-3 zoning district. This portion of town does not have walkable access to commercial development and the site would be challenging to develop in a commercial capacity without direct access to S. Royal Avenue or W. Criser Road. Commercial development could potentially increase traffic through the Ay View Estates neighborhood and disrupt the residential area.

Attachments: A. Application and Supporting Documents.
B. Statement of Justification Letter.
C. Plat.
D. Review Comments from: David Beahm, Building Official, Gerry Maiatico, Fire Marshal, and Matt Wendling, Warren County Planning Director.

TOWN OF FRONT ROYAL ~102 East Main Street, Front Royal, Va. 22630 ~ 540-635-4236
Department of Planning & Zoning

RECEIVED
APR 30 2025
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

FRREZON #2500238

REZONING APPLICATION

RECEIVED
MAY - 8 2025
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

APPLICANT

Name Stephen C. Williams, Esq. /Trustee Phone (804) 241-8852

Address 11617 Chickahominy Branch Dr. Glen Allen, VA 23059

E-mail [redacted]

PROPERTY OWNER OF RECORD

Name James E. Williams Family Trust Phone (804) 241-8852

Address 11617 Chickahominy Branch Dr. Glen Allen, VA 23059

PROPERTY DESCRIPTION

Location/Street Address Between 154 and 160 Elsia Dr., Front Royal

Number of lots: ~~3~~ 2 Total Acreage ~~4.361~~ 2.861

Tax Map Identification for each parcel (Map, Section, Block, & Lot):

MAP 20 A6-1-6 0.661 acres ZONED C1
MAP 20 A6-1-5C 2.20 acres ZONED C1
MAP 20 A6-1-5D 1.50 acres ZONED R3

Subdivision Name (if applicable) Carriage House Properties LLC

This parcel is not in scope for the rezoning request. It is only being listed here for reference purposes to show we own an adjacent parcel already zoned R3.

REQUEST

Existing Zoning C1 and R3 Proposed Zoning R3

Existing Use Undeveloped Proposed Use Commercial or residential

PLEASE COMPLETE REVERSE SIDE

ATTACHMENTS

The following should be submitted with a completed copy of this application. Additional information may be determined necessary depending on the nature of the request.

1. Application Fee *(Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = $500, over 1 acre = $500 + $100 per acre after 1st acre, Downzoning = $400)*
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines and zoning district boundaries *(8 copies and a digital copy)*.
3. Environmental Site Assessment Phase I and Phase II *(unless waived by Director)*.
4. Traffic Impact Analysis *(if required)*
5. Written proffers. Proffers are voluntary but should be submitted in a written format approved by the Director.
6. Statement of Justification. As a separate document, provide a statement or statements that explain why you believe the property should be rezoned.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge. The proffering system has been explained to me and I have read Sections 175-149 and 175-150 of the Town of Front Royal Zoning Ordinance pertaining to conditional zoning and proffering.

SHERI J BEDWELL NOTARY PUBLIC REG. 7907832 COMMONWEALTH OF VIRGINIA

Stephen C Williams Trustee

Signature of Property Owner

Signature of Applicant (if different)

City/County of Goochland, Commonwealth of Virginia
The foregoing instrument was acknowledged before me this 22 day of April, 2025 by Stephen Williams.
(Name of person seeking acknowledgement)

Sheri Bedwell
Notary Public
Notary registration number: 7907832 My commission expires: 1/2028

NOTICES

→ Staff will notify adjacent property owners of the rezoning request and the scheduled public hearing dates with the Planning Commission and Town Council.
→ Town Staff will place an advertisement in the local newspaper as required under Virginia Code §15.2-2204.
→ Town Staff will place a public hearing sign(s) at the location of the proposed rezoning.
→ Submission of this application does not establish a vested right as outlined under Virginia Code §15.2-2307.
→ By submitting this application, the applicant grants permission to the Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.
→ When the applicant is different than the fee simple property owner, the signature by the fee simple property owner on this application shall be considered as authorization for the applicant to act as an agent for matters concerning this application.

OFFICE USE ONLY

Receipt # 1896 Date Paid 5/8/2025
Planning Commission Hearing Date: _____ Recommendation: _____
Town Council Hearing Date: _____ Date Sent to Clerk: _____

Statement of Justification

Our family owns three adjacent parcels. Two of the parcels are zoned C1 and the third parcel is already zoned R3. Our request is to rezone the other two parcels to R3 to create consistency across all three parcels which will enable the lots to be used for the highest and best use and a broader range of uses, including, but not limited to potentially adding more units for the adjacent continuous care retirement facility, additional townhouses or apartment buildings.

Regards,

Stephen C. Williams, Esq., Co-Trustee

Planning Commission,

This letter is to inform the Front Royal Planning Commission that my brother, Stephen C. Williams, Esq., and I, are co-trustees of the James E. Williams Family Trust (the "Trust"), which owns the lots which are the subject of the rezoning application. Under the terms of the Trust, the pertinent excerpts of which are shown below in Section 5, and Article 21, both co-trustees are authorized to act alone or in concert with another Trustee.

> *5. Powers of Trustee. The powers of the Trustee are as set forth in Article Twenty-One, Section F, of the Trust Agreement (a copy of said Article Twenty-One, Section F, is attached to this Certificate of Trust). Any Trustee, acting alone or in concert with another Trustee, shall have all of the powers and authority enumerated in Section 64.2-778 and Section 64.2-105 of the Code of Virginia, 1950, as amended, as in effect from time to time, which the Settlor has expressly incorporated in said Trust Agreement and expressly incorporates these statutory powers by reference as if fully written out herein. The Settlor specifically authorizes the Trustee(s) to sell, give or transfer in any manner any property held in the Trust, whether real or personal, upon such terms and conditions as the Trustees shall deem appropriate.*
>
> *6. Irrevocable Trust. The Trust is irrevocable.*
>
> *ARTICLE TWENTY-ONE*
>
> *Trustees*
>
> *A. Trustee Appointments. A Trustee who is a party to this Agreement or who is appointed in this Article shall serve as Trustee of each trust under this Agreement except where this Article or some other provision of this Agreement specifically provides otherwise.*
>
> *1. Revocable Trust, Family Trust and OTIP Marital Trust. Upon my death or disability, I appoint as the Trustee(s) of the Trust in effect during my lifetime and after my death, as well as the Family Trust and the Marital Trust, those persons named below in the following order of priority:*
>
> 1. *First Successor Trustee. JAMES E. WILLIAMS.*
> 2. *Second Successor Trustees. JAMES M. ("MICHAEL") WILLIAMS and STEPHEN C. WILLIAMS.*

We submit this letter that we, either in concert or alone, represent the Trust with the authority and responsibility to conduct real estate transactions. Furthermore, I hereby expressly consent to the rezoning of the two lots as set forth in the Rezoning Application.

Thank you,



James M. Williams, Trustee

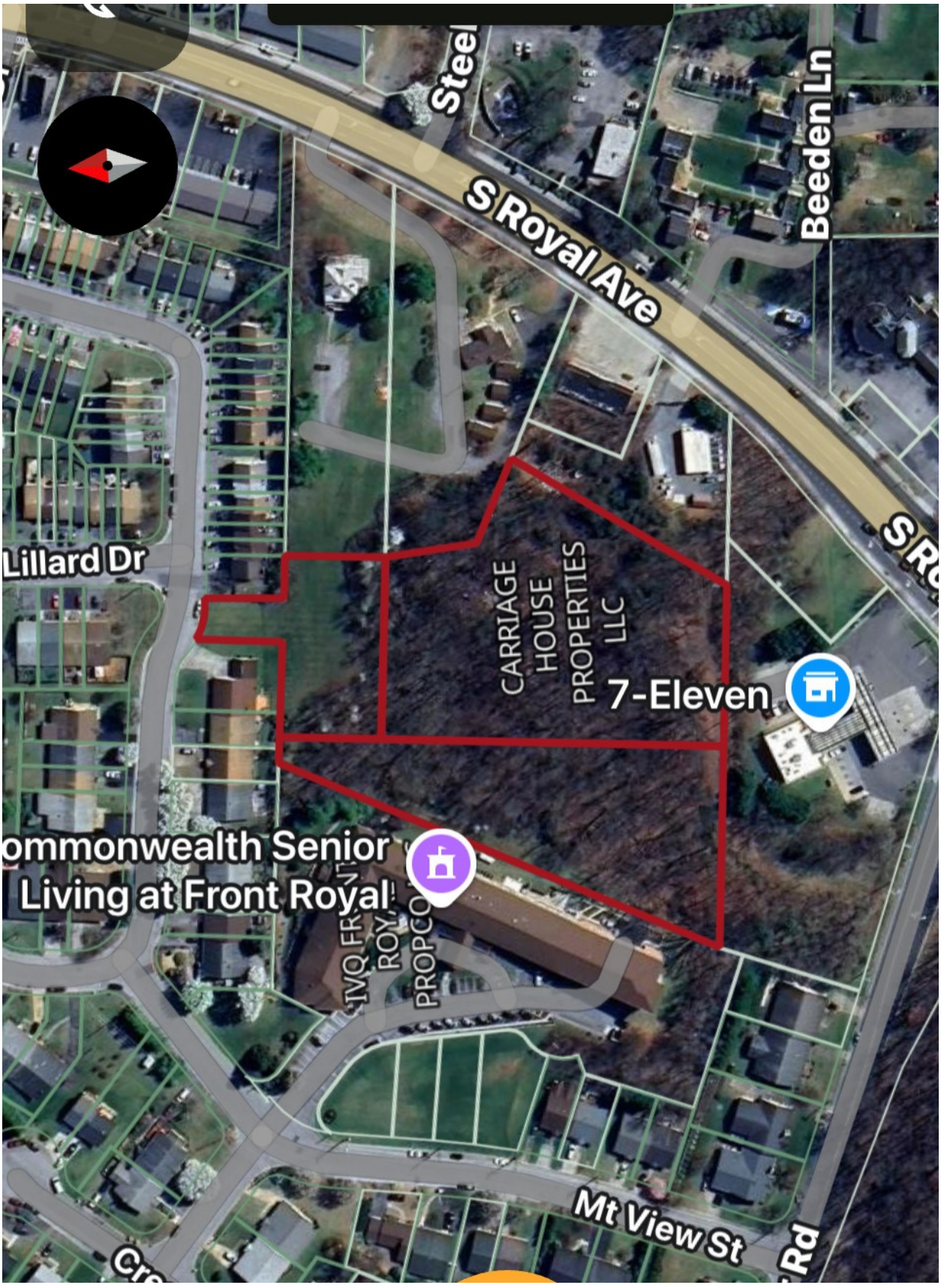
The forgoing was acknowledged before me in the Commonwealth of Virgina, County of Henrico, this 17th day of April 2025, by James M. (Michael) Williams signing as Co-Trustee.

My Commission expires: 06/30/2025

Tamara Elaine Mackey

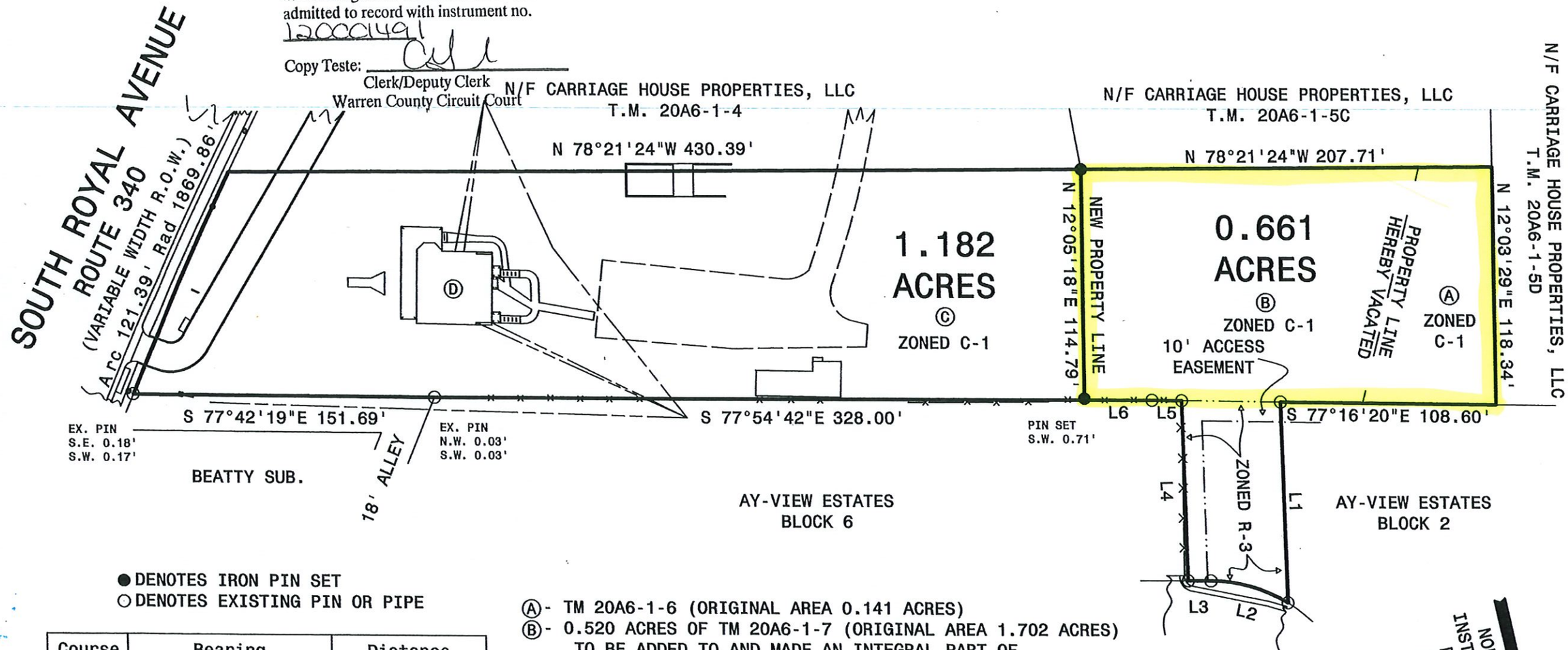
Notary Public




S Royal Ave
Beeden Ln
Lillard Dr
CARRIAGE HOUSE PROPERTIES LLC
7-Eleven
ommonwealth Senior
Living at Front Royal
Mt View St

This survey was produced before me on the 20 day of Mar, 2012, at 3:54 am/pm, and with certificate of acknowledgement thereto attached was admitted to record with instrument no. 12000491

Copy Teste: _____
Clerk/Deputy Clerk
Warren County Circuit Court



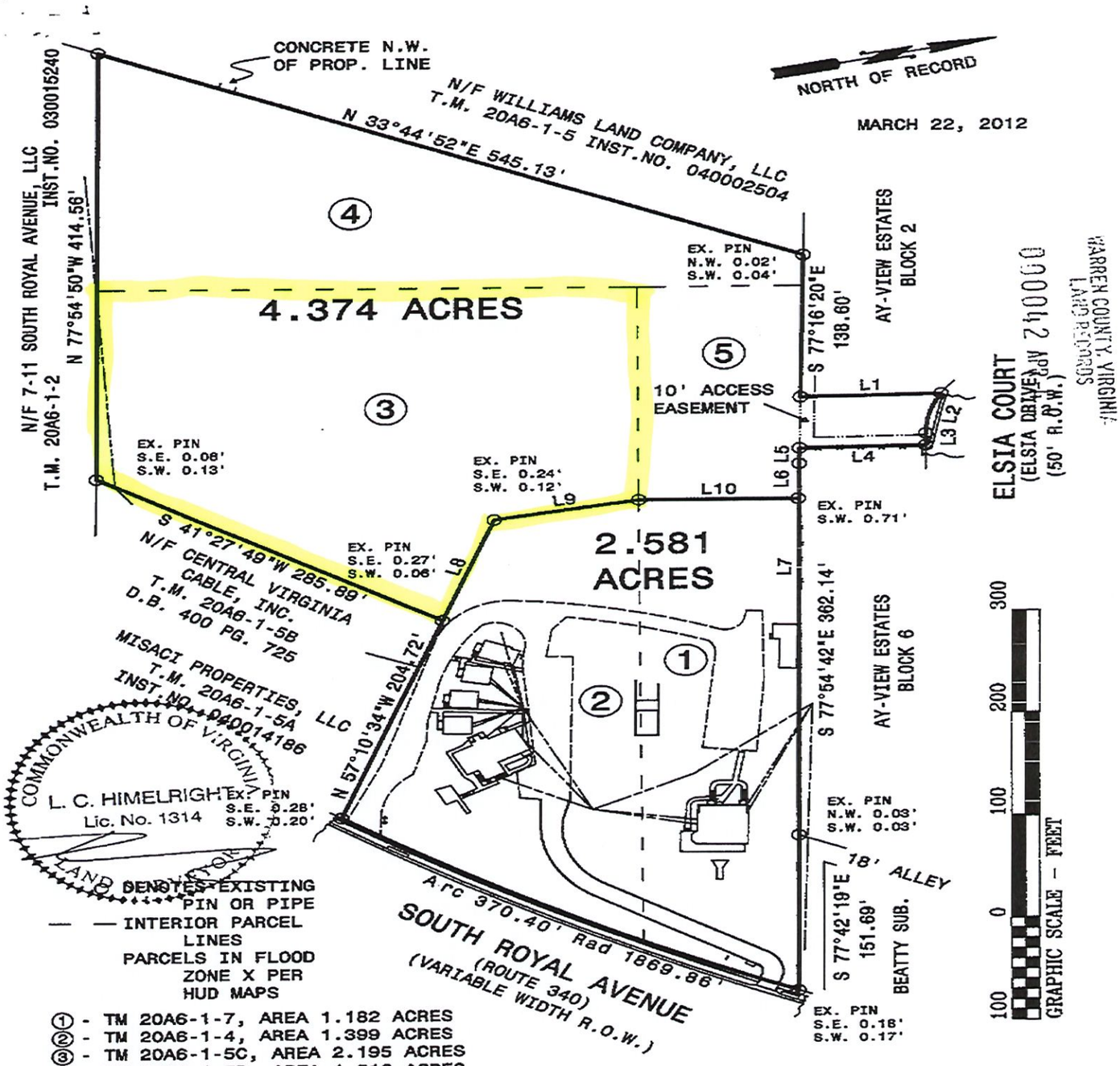
● DENOTES IRON PIN SET
○ DENOTES EXISTING PIN OR PIPE

Course	Bearing	Distance
L1	N 10°55'18" E	100.04'
L2	Rad: 75.00' Tan: 20.84' Chd: S 62°23'03" E	Arc: 40.65' CA: 31°03'17" 40.15'
L3	S 77°54'43" E	11.54'
L4	S 10°55'18" W	89.85'
L5	S 77°16'20" E	15.00'
L6	S 77°54'42" E	34.14'

Ⓐ- TM 20A6-1-6 (ORIGINAL AREA 0.141 ACRES)
Ⓑ- 0.520 ACRES OF TM 20A6-1-7 (ORIGINAL AREA 1.702 ACRES) TO BE ADDED TO AND MADE AN INTEGRAL PART OF TM 20A6-1-6 AND IS NOT TO BE CONSIDERED A SEPARATE BUILDING SITE
Ⓒ- RESIDUE OF TM 20A6-1-7 (ORIGNAL AREA 1.702 ACRES)
Ⓓ- 2 1/2 STORY STUCCO & FRAME APARTMENT BUILDING #539

60 0 60 120 180
GRAPHIC SCALE – FEET

SHEET 2 OF 2



— — DENOTES EXISTING PIN OR PIPE

— — — — INTERIOR PARCEL LINES

PARCELS IN FLOOD ZONE X PER HUD MAPS

① - TM 20A6-1-7, AREA 1.182 ACRES
② - TM 20A6-1-4, AREA 1.399 ACRES
③ - TM 20A6-1-5C, AREA 2.195 ACRES
④ - TM 20A6-1-5D, AREA 1.518 ACRES
⑤ - TM 20A6-1-6, AREA 0.661 ACRES

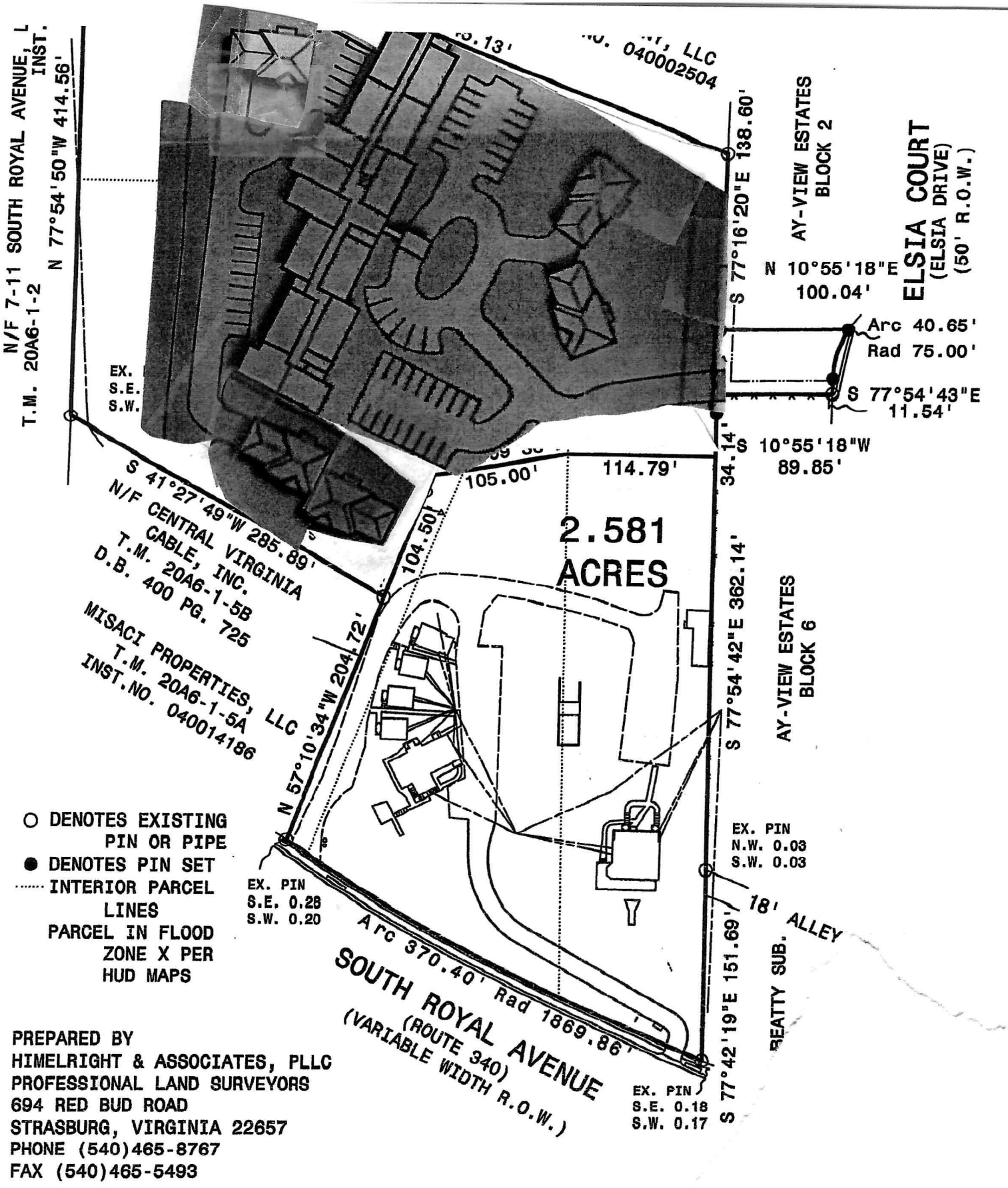
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L5	S 77°16'20" E	15.00'
L6	S 77°54'42" E	34.14'
L7	S 77°54'42" E	328.00'
L8	N 57°10'34" W	104.50'
L9	N 02°09'36" E	105.00'
L10	N 12°05'18" E	114.79'

SURVEY OF CARRIAGE HOUSE PROPERTIES, LLC RECORDED IN INSTRUMENT NUMBER 040008006, INSTRUMENT NUMBER 050011323 AND INSTRUMENT NUMBER 120001491.

FORK MAGISTERIAL DISTRICT
WARREN COUNTY

TOWN OF FRONT ROYAL, VIRGINIA

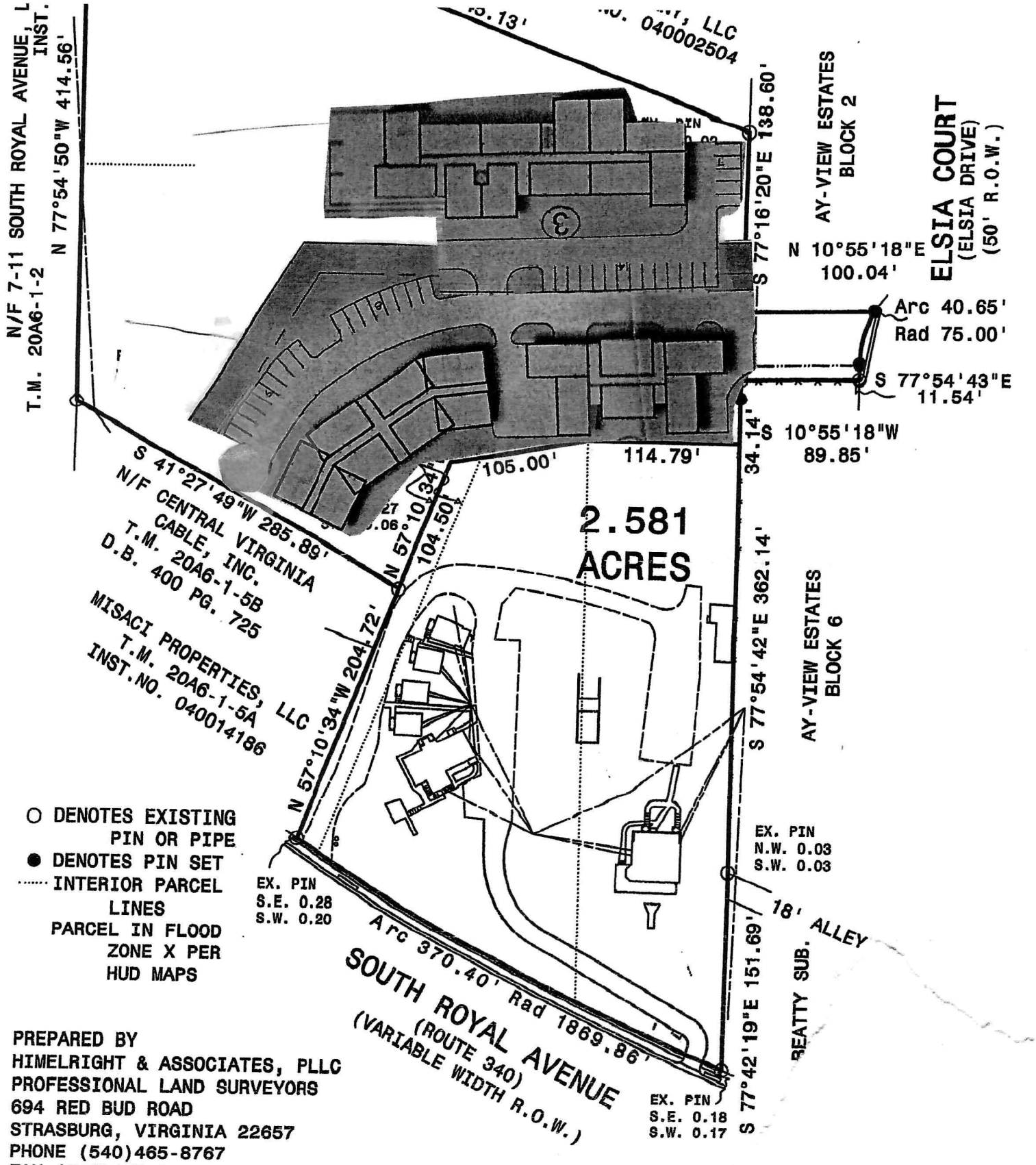
SHEET 1 OF 2



PREPARED BY
HIMELRIGHT & ASSOCIATES, PLLC
PROFESSIONAL LAND SURVEYORS
694 RED BUD ROAD
STRASBURG, VIRGINIA 22657
PHONE (540)465-8767
FAX (540)465-5493

SURVEY OF CARRIAGE HOUSE PROPERTIES, LLC RECORDED IN INSTRUMENT NO. 040008006
AND INSTRUMENT NO. 050011323

FORK MAGISTERIAL DISTRICT
WARREN COUNTY
TOWN OF FRONT ROYAL, VIRGINIA



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AND INSTRUMENT NO. 050011323

FORK MAGISTERIAL DISTRICT
WARREN COUNTY
TOWN OF FRONT ROYAL, VIRGINIA

Rezoning 2500238

Connie Potter

From: David Beahm <Dbeahm@warrencountyva.gov>
Sent: Thursday, May 15, 2025 4:15 PM
To: Connie Potter
Cc: Inspections; Kevin Perry; Matthew Byers; Gerry Maiatico; Gordon Foster; Matt Wendling
Subject: RE: Rezoning Application for Review – Stephen C. Williams, Esq./Trustee – Rezoning C-1 to R-3 – 20A6-1-6 and 20A6-1-5C – 2500238
Attachments: 2500238_Letter to the Planning Commission.pdf; 2500238_Rezoning Application.pdf; 2500238_Statement of Justification.pdf; 2500238_Survey Plats.pdf

Comments – Stephen C. Williams, Esq./Trustee – Rezoning Application C-1 to R-3 – 2500238:

- Erosion and Sediment Control (ESC) Items:
  - The Statement of Justification indicates that this change is to potentially develop the lots for residential purposes. If any work were to begin an application and permits would be required for ESC permit, which would be a normal submission including a full plan review application.
  - If individual lots are created and structures are applied for an Agreement In Lieu of to be obtained if work is in conjunction with those structures.
  - If the area of disturbance exceeds one (1) acre, more than two dwellings and a new subdivision which will additionally require a Stormwater permit through the Department of Environmental Quality (DEQ). Approval by DEQ (Construction General Permit) would be required prior to any ESC Permit and any type of Building Permit being issued by Warren County.

- Site Plan Review:
  - It does not appear that this will be required for the scope of work that appears to be completed after this request is approved. However, if the scope of work expands it would need to be reevaluated at that time. At that time, it may require a Site Plan Review and Permit for Building Code Compliance to be completed for emergency access, utilities, structure placement for required fire separation, fire hydrants, fire lane markings, required fire signage, etc.

- Building Inspections Items:
  - If or when any building construction related activity (structure, electrical, plumbing, mechanical, fire suppression, energy, etc.) were to start, it would be subject to the normal requirements of application, review and approval prior to work beginning.

- Fire Marshal's Office Comments (standard):
  - We would defer all comments for the site development/new construction/retrofit/change of use to the Building Official. Upon approval and issuance of the CO, the facility (as applicable) shall be maintained in accordance with the Virginia Statewide Fire Prevention Code.

If anything should change in the scope, additional requirements may be required.

All submissions for these items would be made to the Building Inspections Department through the email address: inspections@warrencountyva.gov

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren

Rezoning #2500238

Connie Potter

From: Lauren Kopishke
Sent: Friday, June 13, 2025 6:56 AM
To: Connie Potter; John Ware
Subject: FW: Rezoning in Town-Elsia drive

Please include the email comments from Matt Wendling as an attachment in the PC packet.

Lauren E. Kopishke
Director of Planning & Zoning
Zoning Administrator
Town of Front Royal
Dept. of Planning and Zoning
102 E Main St | PO Box 1560
Front Royal, VA 22630
T./540-635-4236

From: Matt Wendling <Mwendling@warrencountyva.gov>
Sent: Friday, June 6, 2025 2:17 PM
To: Lauren Kopishke <lkopishke@frontroyalva.com>; Charles Costner <ccostner@wcps.k12.va.us>
Cc: John Ware <jware@frontroyalva.com>; Carol Buffa <cbuffa@frontroyalva.com>
Subject: RE: Rezoning in Town-Elsia drive

Greetings Lauren,
I don't have a Fiscal Impact Model to run on these options, they vary quite a bit. I would contact the Fire Chief and Sheriff's office to get an idea of what proffers they might want to see for the rezoning.
Sincerely,
Matt

Matt Wendling, CFM
Planning Director/County Floodplain Manager
County of Warren Planning and Zoning Dept.
220 N. Commerce Ave. Suite 400
Front Royal, VA 22630
(540)-636-3354 Ext. 325

From: Lauren Kopishke <lkopishke@frontroyalva.com>
Sent: Wednesday, June 4, 2025 7:44 PM
To: Matt Wendling <Mwendling@warrencountyva.gov>; Charles Costner <ccostner@wcps.k12.va.us>
Cc: John Ware <jware@frontroyalva.com>; Carol Buffa <cbuffa@frontroyalva.com>
Subject: Rezoning in Town-Elsia drive

CAUTION: This email originated from outside of the Warren County email system. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good evening,

Matt can you and Charles provide feedback regarding the potential impact to schools from a proposed 2.7 acre parcel rezoning from commercial to higher density residential off of Elsia Drive. Connie should have sent you the rezoning application package last month. Let me know if you have questions. I am in South Carolina this week for Genevieve's archery competition but I will be available by cell or email.

Lauren Kopishke

Sent via the Samsung Galaxy A14 5G, an AT&T 5G smartphone
Get Outlook for Android

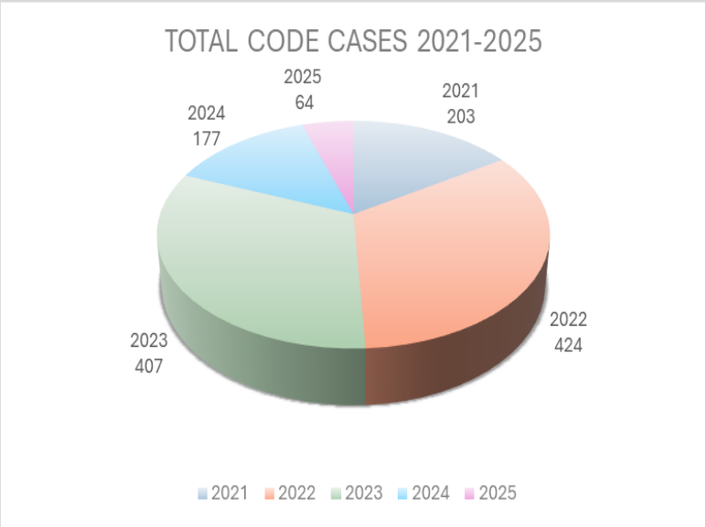
This message was sent from a verified Warren County account.

MAY MONTHLY REPORT

PLANNING/ZONING DEPARTMENT – MAY 2025

GENERAL INDICATORS

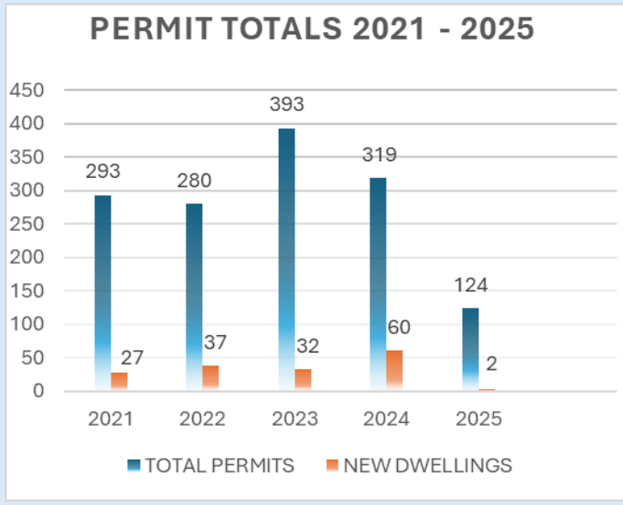
	2021	2022	2023	2024	2025 YTD	MAY
Zoning Permits	293	280	393	319	124	37
New Dwelling Units	27	37	32	60	2	0
New Code Enforcement Cases Open	203	424	407	177	64	22
Code Enforcement Cases in Compliance/Closed		361	378	112	26	12
Code Enforcement Inspections	--	--	--	388	92	23
Land Use Applications	29	56	36	45	18	4
Code Amendments	7	2	4	1	3	1
Sign Permits	47	41	62	42	20	1
Business Licenses	172	155	148	129	68	12
Short-Term Rentals	1	13	5	5	1	0
Administrative Variance	--	--	4	1	0	0
COA Administrative Review	--	--	39	18	15	3
COA Board Review	--	--	11	15	1	1
Solicitor/Itinerant Merchant	--	--	10	27	7	2
Urban Agriculture	--	--	18	11	1	1
Vacation of Alleys, Streets, Right-of-Ways & Easements	--	--	5	2	3	0
Right of Way Utilization Permits			46	105	12	4
Walk-Ins to Planning & Zoning	--	--	--	**2606**	**950**	**221**



SPECIAL PROJECTS UPDATES/NEWS

- **Chapter 175 and 148 Rewrite**: A rough draft of Chapter 175 was distributed to the Planning Commission August 7, 2024 and is currently in review.
- **Capital Improvement Plan (CIP)**: Work has begun on the 2025-2029 CIP.
- Staff is reviewing application forms; the goal is to roll out new forms with the new ordinance.

- **BAR –** The Board of Architectural Review did not meet in May.
- **BZA -** The Board of Zoning Appeals did not meeting in May.



PC – In May the Planning Commission (PC) held one (1) regular meeting and one (1) work session. At their regular meeting the PC approved to advertise a Rezoning application for public hearing at the June 18, 2025 regular meeting. The PC made the following recommendations:

- Special Use Permit application for a farmers Market at 515-B N. Commerce Avenue – Recommended approval with conditions.
- Special Use Permit application for a short-term rental at 66 W. Strasburg Road – Recommended approval with conditions.
- Application for Preliminary Plat Approval for a major subdivision at 1321 Happy Creek Road – Approved.

At their work session the PC discussed the above mentioned applications, shelters/alternative housing, and the Board of Architectural Review proposed text amendment.

PLANNING COMMISSION WORK SESSION

ARTICLE 11 – DEFINITIONS

Definition Origin Key: (to be deleted in final)

1.Red is 175-3; 2. Dark Blue is Flood plain (Warren), 3. Green Times New Roman is Signs from 175. 4. Brown is historic; and 5. Cambria Black is directly from 15.2.2201 State Code Definitions; 6. Green Tw Cen Mt is DCR Floodplain; 7. LGA Sign Ordinance Definitions Orange, Verdana

ACCESS - A public or private right-of-way providing the ability to enter, approach or pass to and from an area to another area.

ACCESSORY BUILDING/ACCESSORY STRUCTURE - A building or structure that is subordinate to, and located on the same lot as the principal permitted use of the property, of which, the accessory building or accessory structure is used for purposes that are clearly incidental to that of the principal permitted use of the property, and which is not attached by any part of a common wall or roof to the main building, or buildings, if any. An accessory building shall not exceed the height of the main building(s) located on the property; shall not be located within a required yard area that abuts a public road; and shall not be permitted where no main building exists on the property, except in the following: (i) temporary buildings or structures permitted under this chapter, (ii) accessory buildings without utilities that are used for storage purposes and do not exceed 256 square feet, and (iii) buildings, such as barns and silos, used for agricultural purposes.

ACCESSORY STRUCTURE or **APPURTENANT STRUCTURE** – For purposes of the floodplain regulations of this chapter, shall mean an accessory building not in excess of 200 square feet.

ACCESSORY USE - A use of a building, lot or portion thereof which is customarily incidental and subordinate to the principal permitted use of the main building or lot. Accessory uses shall include the use of accessory buildings as a separate accessory dwelling unit, provided that the lot is at least 12,000 square feet in size, the accessory building complies with the minimum setback and yard area requirements that are required for main buildings within the applicable zoning district, no more than one accessory dwelling is located on the property, and the accessory dwelling unit does not utilize more than 500 square feet. Urban agriculture is considered an accessory use when the requirements of Section 175-110.5 are complied with.

ADMINISTRATOR, THE - The official charged with the administration and enforcement of the Zoning Ordinance.

Advertising means any words, symbol, color or design used to call attention to a commercial product, service, or activity.

Affordable housing means, as a guideline, housing that is affordable to households with incomes at or below the area median income, provided that the occupant pays no more than thirty percent

of his gross income for gross housing costs, including utilities. For the purpose of administering affordable dwelling unit ordinances authorized by this chapter, local governments may establish individual definitions of affordable housing and affordable dwelling units including determination of the appropriate percent of area median income and percent of gross income.

A-Frame sign means a two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape not more than four feet high. These are also referred to as "sandwich board" signs. They are included in the term "portable sign."

AGRICULTURE, URBAN (Urban Agriculture) – An umbrella term that describes a range of food growing practices conducted as an accessory use that may include the raising of crops, horticulture, aquaculture, hydroponics, forestry, gardening, apiculture, and both livestock and fowl keeping, subject to compliance with the regulations of Section 175-110.5.

AGRICULTURE/AGRICULTURAL PURSUITS – The tilling of soil, the raising of crops, horticulture, aquaculture, hydroponics, forestry, gardening, apiculture, livestock and fowl keeping and breeding, farm wineries, roadside stands, tenant houses necessary for the operation of a farm, and the production of natural products with resources primarily derived from the land upon which it is produced. Yard maintenance, landscaping, noncommercial gardening and other customary incidental accessory uses shall not be deemed as "agriculture." Where agricultural uses are permitted under Chapter 175 of the Town Code, the provisions of Section 66-5 pertaining to slaughtering of stock shall not apply, provided that this exemption only applies to small scale slaughtering activities on a farm, and does not apply to slaughterhouses.

ALLEY - A public right-of-way which affords only a secondary means of vehicular access to the side or rear of property.

ALL-WEATHER SURFACE - Crushed rock, gravel or similar surface shall constitute an all-weather surface.

ALTERATION - Any change, modification or addition to a part of or all of the exterior of any building or structure.

AMENDMENT - A change in the Zoning Ordinance and/or Zoning Map granted by the Town Council after review and comment by the Town Planning Commission.

ANIMATED SIGN - A sign or part of a sign that moves or appears to move, including, but not limited to propellers, discs, digital screens, projections and flashing lights, but specifically excluding the hands of a clock, clocks, digital displays of only the time, date and temperature, weather vanes, and flags.

Animated sign means a sign or part of a sign that is designed to rotate, move or appear to rotate or move. Such a sign is sometimes referred to as a "moving sign."

Appurtenant or accessory structure - A non-residential structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures are not to exceed 600 square feet.

ARCHITECT, REGISTERED - A licensed professional architect registered in the Commonwealth of Virginia by the Department of Professional and Occupational Registration as an architect.

ARTISTIC MURAL - A work of art (as a painting) applied to and made integral with a building wall that is prepared by a skilled artist and shows imaginative skill in arrangement or execution.

ASSISTED LIVING FACILITY - A residential facility for two or more persons that provides nursing assistance and/or support services for residency of elderly and/or disabled persons, where residents share common meals.

ATTIC - The space between the ceiling beams of the top habitable story and the roof rafters. An "attic" shall be considered a half-story and shall be included in the calculation of building height.

AUTOMOBILE GRAVEYARD - See "Junkyard."

AUTOMOBILE PARKING LOT, COMMERCIAL - A lot or portion thereof, other than an automobile sales lot, held out or used for the storage or parking of six (6) or more motor vehicles for a consideration, where service or repair facilities are not permitted. Such parking lot shall not be considered an accessory use; nor shall it be used for the storage of dismantled or wrecked vehicles, parts thereof or junk.

AUTOMOBILE SALES LOT - A lot arranged, designed or used for the storage and display for sale of any new or used motor vehicles capable of independent operation or any type of travel trailer and recreational vehicle, provided that the travel trailer and recreation vehicle is unoccupied, and where repair work is done wholly enclosed within a building.

AUTOMOBILE SERVICE STATION - A place of business with pumps and underground storage tanks, having as its purpose the servicing, at retail, of motor vehicles with fuels and lubricants, and including minor repairs and inspections incidental thereto, but not including a general repair shop, paint or body shop, machine shop, vulcanizing shop or any operation requiring the removal or installation of a radiator, engine, cylinder head, crankcase, transmission, differential, fenders, doors, bumpers, grills, glass or other body parts or anybody repairing or painting. All repairs shall be conducted within a fully enclosed building.

AUTOMOBILE WRECKING YARD - An area where destroyed, abandoned and obsolete automobiles are disassembled and where parts of said disassembled automobiles are generally sold

and where the remaining automobile bodies and their components are temporarily stored until they can be removed or reduced to scrap metal.

AWNING SIGN - A sign placed, painted or printed directly on the surface of an awning.

Awning sign means a sign placed directly on the surface of an awning.

BABYSITTING - An activity occurring in any private family home in which nine (9) children or fewer, including children residing on the premises and/or related by blood or marriage to the person who maintains the home, are received for care, protection and guidance during any part of the twenty-four-hour day. A Town business license is required for the care of any children not related by blood or marriage when such service is provided in a private family home during any eleven (11) days or more, either consecutive or nonconsecutive days, in any given month.

Banner means a temporary sign of flexible material affixed to a framework or flat surface.

Base flood - The flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation - The water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. The water surface elevation of the base flood in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this ordinance, the base flood is the 1% annual chance flood.

BASEMENT - Any area of the building having its floor sub-grade (below ground level) on all sides.

Basement - Any area of the building having its floor sub-grade (below ground level) on all sides.

BAY WINDOW - A convex window frame and pane(s) that projects outward from a house or other structure, which may project not more than three feet (3') into any required yard area.

BED AND BREAKFAST HOME - A single-family, owner-occupied dwelling with ten (10) or fewer guest rooms in which overnight accommodations and breakfast are provided for transient guests, none of whom remain any more than fourteen (14) consecutive nights. A "bed-and-breakfast home" shall also be known as a "Tourist Home".

BILLBOARD SIGN - See "off-premise sign."

BLOCK - The property bound on all sides by one (1) side of a street or a combination of a street line, railroad right-of-way, unsubdivided land, river, live stream, stream bed or any other barrier to the continuity of development.

BOARD OF ZONING APPEALS - The Board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.

BOARDINGHOUSE - See "Lodging House".

BREAKAWAY WALL - A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

BREAKPOINT TECHNOLOGY – Means the particular design of a monopole wireless telecommunication tower, certified by an engineer licensed in the Commonwealth of Virginia, that devises a specified point of the structure, referred to as the breakpoint, to have stress concentrated so that the breakpoint is at least five percent (5%) more susceptible to failure than any other point along the structure, so that in the event of a structural failure, the failure will occur at the breakpoint rather than at the base plate, anchor bolts, or any other point on the structure.

BUILDING - Any enclosed or open structure which is a combination of materials to form a construction for occupancy or use.

BUILDING COVERAGE, LOT COVERAGE - All areas on a lot which are under a roof or under projections from buildings.

Building frontage means the length of the main wall of a building which physically encloses usable interior space and which is the architecturally designed wall that contains the main entrance for use by the general public. Said frontage shall be measured at a height of ten (10) feet above grade.

BUILDING INSPECTOR - An appointed official of the Town of Front Royal, Virginia who is responsible for certifying building inspections.

BUILDING, MAIN - A building in which the principal use of the lot is conducted.

Business sign means a sign which directs attention to a product, service or commercial activity available on the premises.

CANOPY SIGN - A sign attached or otherwise affixed to a canopy.

CARETAKER QUARTERS – A dwelling unit located within a building that is used by a business enterprise, and is occupied by the owner or an employee of the business. Only one (1) caretaker quarters shall be permitted per building, and shall not utilize more than twenty percent (20%) of the ground floor area of the building.

CATERING SERVICES – An establishment that prepares meals or food on premise with pickup/delivery for consumption off-site.

CELLAR - A portion of a building having less than fifty percent (50%) of the total exterior wall area exposed. Such a portion of a building shall not be used for habitation. All portions of the total exterior wall area exposed shall be counted for the purpose of height requirements, but shall not be considered a story.

CEMETERY - A place for burial of the human dead.

CERTIFICATE OF APPROPRIATENESS (C of A) - The approval statement signed by the Secretary of the Board of Architectural Review (BAR) and the Zoning Administrator that certifies approval by the BAR of the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, demolition or razing of all or a part of any building within an historic district overlay area, subject to the issuance of all other permits needed for the matter sought to be accomplished.

Chalk-board sign means a single-faced, framed slate or chalk-board that can be written on with chalk or similar markers.

CHANGE OF USE - Any change from one business activity to another, except a name change for a specific established business activity.

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.

Changeable copy sign means 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.

CHURCH - Buildings or structures primarily intended for organized religious services and associated accessory uses.

CHURCHYARD- an area of land not exceeding two (2) acres, surrounding and located on the same lot or parcel as a church, which may be used as a cemetery.

CLINIC - An establishment where human patients who are not lodged overnight are admitted for examination or treatment by physicians or dentists.

Coastal A Zone - Flood hazard areas that have been delineated as subject to wave heights between 1.5 feet and 3 feet.

COMMISSION, THE - See "Planning Commission".

COMMON OPEN SPACE - An open tract or parcel of land owned in undivided interest, not devoted to structures but directly related and adjunct to a development, as herein provided.

COMMUNITY CENTER (public) - A structure designed and constructed for public use which includes a community meeting room, athletic or exercise facilities or similar uses.

COMMUNITY HALL - A community hall is a structure designed and constructed for civic uses and shall include a community meeting room, a library annex, space dedicated to historical or cultural displays or uses, athletic or exercise facilities, or uses found to be similar in intent and function with this section.

Comprehensive sign plan means a plan for the signage of a property that includes multiple tenants or owners with shared parking or other facilities.

Conditional Letter of Map Revision (CLOMR) - A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study.

Conditional zoning means, as part of classifying land within a locality into areas and districts by legislative action, the allowing of reasonable conditions governing the use of such property, such conditions being in addition to, or modification of the regulations provided for a particular zoning district or zone by the overall zoning ordinance.

CONTRIBUTING PROPERTIES - Properties so designated on the inventory map of landmarks and contributing properties, which is adopted as a part of this Article, being generally those properties which, by reason of form, materials, architectural details and relation to surrounding properties, contribute favorably to the general character of the part of the historic district in which they are located but, by reason of recent age, lack of historic significance or other factors, are not designated as local historic landmarks under the criteria of this Article.

CONVALESCENT HOME - See "Nursing Home".

COVERAGE - See "Building Coverage".

DAYCARE - The provision of care, protection and guidance to a group of children separated from their parents or guardian during a part of the day only.

DEMOLITION - The dismantling or tearing down of all or part of any building and all operations incidental thereto.

DENSITY - The number of dwelling units permitted on one (1) acre of land as specified herein.

Development - Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, temporary structures, mining, dredging, filling, grading, paving, excavation, drilling or other land-disturbing activities or permanent or temporary storage of equipment or materials.

DIRECTIONAL SIGN - An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance," "Exit," "Parking," "One Way" or similar directional instruction, but not including any advertising message.

DIRECTORY SIGN - A sign on which the names and locations of occupants or the use of a building or group of buildings is given.

DISTRICT - A portion of the Town of Front Royal within which, on a uniform basis, only certain uses of land and buildings are permitted as set forth in this chapter and within which certain lot areas and other uniform requirements are established.

DOMESTIC PRODUCTS – Processed, cooked, dried or preserved foodstuffs and other agricultural products meant for human consumption, to include, but not limited to, jellies, pickles, herbs, smoked meats, baked goods, candies, canned foods, and other prepared edibles.

DRIVE-IN EATING ESTABLISHMENT - Any place or premises used for sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages in motor vehicles on the premises; a refreshment stand; a fast-food or primarily a carry-out establishment.

DRIVEWAY - A space or area providing access specifically designated and reserved on a lot for the movement of vehicles from one lot to another or from a lot to a public street. "Driveways" for commercial or industrial properties shall be hard surfaced.

DUPLEX - A two-family residential structure, with each unit having its own exterior entrance; the residential units may be arranged one above the other, or be semidetached.

DWELLING - A building or portion thereof which is used or intended to be used exclusively for residential purposes and contains one (1) or more dwelling units.

DWELLING UNITS - One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities and containing not less than six hundred (600) square feet of residential floor area. Such units shall meet the requirements of the Building Code of the Town of Front Royal.

DWELLING, ATTACHED - A dwelling having any portion of each of two (2) walls in common with adjoining dwellings.

DWELLING, DETACHED - A dwelling which is entirely freestanding on a lot.

DWELLING, MULTIFAMILY - A building containing three or more dwelling units.

DWELLING, SEMIDETACHED - One (1) of two (2) buildings, arranged or designed as dwellings located on abutting walls without openings, and with each building having a separate lot with minimum dimensions required by district regulations.

DWELLING, SINGLE-FAMILY - A single residential dwelling unit, other than a mobile home or manufactured home, designed for occupancy by one (1) family, and not located on the same lot as another dwelling unit.

DWELLING, TEMPORARY - A residence designed as a portable dwelling but not necessarily attached to a permanent foundation.

DWELLING, TWO-FAMILY - A residential building containing not more than two (2) dwelling units, arranged one above the other or side by side, designed for occupancy by not more than two (2) families.

EASEMENT - A grant by a property owner of the use of his land by another party for a specific purpose. The initial property owner in the agreement may be compensated for the use of his property.

ELEVATED BUILDING - A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

Elevated building - A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).

Encroachment - The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

ENCROACHMENT - The advance or infringement of uses, plant growth, fills, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

ENGINEER, REGISTERED - A licensed professional engineer registered in the Commonwealth of Virginia by the Department of Professional and Occupational Registration as an engineer.

Existing construction - For the purposes of the insurance program, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975 for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures" and "pre-FIRM."

EXTERIOR FEATURES (ARCHITECTURAL APPEARANCE) - The architectural style, general design and general arrangement of the exterior of a building or other structure, including the color, the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, other appurtenant fixtures and other natural features, such as trees and shrubbery, that are subject to the public view from a public street, public way or other public places.

FALL ZONE – Means an area around the base of a wireless telecommunication tower required to be kept clear of buildings, other than those accessory to the wireless telecommunication tower, for the purpose of containing debris in the event of a tower structural failure. The fall zone is measured by a circular radius around the wireless telecommunication tower that equals the structure's height.

FAMILY - An individual or group of individuals related by blood, marriage, adoption or guardianship. For the purpose of this chapter, the definition of "family" shall include four (4) or fewer unrelated persons living together as a single housekeeping unit.

FARM PRODUCTS – Ice, wood, charcoal, meats, milk, butter, eggs, poultry, game, vegetables, fruits or other family supplies of a perishable nature or farm products grown or produced by them and not purchased by them for sale.

FARMERS' MARKET – A collection of two (2) or more vendors, selling farm or domestic products, garden produce, or nursery products, ornamental or otherwise, which have been grown or produced by the vendor offering the same for sale, in an open-air setting or with temporary or partially enclosed structures.

FAST-FOOD ESTABLISHMENT - See "Drive-in Eating Establishment."

Feather sign. A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.

FENCE - An artificially constructed barrier, made of any material, including but not limited to posts and wire, boards, or masonry intended to prevent escape or intrusion to make a boundary, or serve as screening.

Flag means 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.

FLAG SIGN – A flag used as a sign

FLAG SIGN, NON-TRADITIONAL – A flag sign other than a traditional flag sign. A "feather flag" is an example of a non-traditional flag sign.

FLAG SIGN, TRADITIONAL – A flag sign, excluding a sign on a "feather flag", that does not exceed fifteen (15) square feet in area, and no one side exceeding a length of five feet (5').

Flashing sign means a sign that includes lights that flash, blink, or turn on and off intermittently.

FLEA MARKET - An assembly of vendors, selling new or used goods in the open air or within temporary structures, which display and sell their wares on the lands of another for a consideration.

Flood Insurance Rate Map (FIRM) - an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study (FIS) - a report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.

Flood or flooding - A general or temporary condition of partial or complete inundation of normally dry land areas from:

The overflow of inland or tidal waters; or, The unusual and rapid accumulation or runoff of surface waters from any source. Mudflows which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1 (a) of this definition.

Floodplain or flood-prone area - Any land area susceptible to being inundated by water from any source.

Floodproofing - any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point within the community.

FLOOR AREA OF A BUILDING OR BUILDINGS - The sum of the gross horizontal areas of the several floors of all buildings on the lot measured from the exterior faces of exterior walls. "Floor area" shall include the area of basements when used for residential, commercial or industrial purposes when such are permitted, but shall not include a basement or portion of a basement used for storage or housing of mechanical or central heating equipment.

Freeboard - A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.

Freestanding sign means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.

FRONTAGE - See "Lot Width."

Functionally dependent use - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

FUNERAL PARLOR, HOME OR MORTUARY - An establishment used for human funeral services, which shall include facilities on the premises for embalming and may or may not include facilities for the performance of autopsies, other surgical procedures or cremation.

GARAGE, COMMUNAL - A garage used for the storage of vehicles for occupants of lots in the same adjacent block or blocks.

GARAGE, PRIVATE - An accessory building used for the storage of vehicles by the occupants of a lot on which such building is located.

GARAGE, PUBLIC - An accessory building, portion of a principal building or principal buildings used only for the storage of four (4) or more vehicles by others than only those occupants of a lot on which such building is located.

GAS STATION AND GASOLINE SALES – See "Automobile Service Station."

General Repairs - includes patching, restoration, or replacement of damaged materials, elements, equipment, or fixtures. The work shall not make the building less conforming than it was before the repair was undertaken. Repairs shall be done in a manner that maintains the level of fire protection, means of egress, and accessibility.

GOVERNING BODY - The Town Council of Front Royal, Virginia.

GOVERNMENT OFFICES AND BUILDINGS – Offices and structures used primarily for conducting the affairs of government. This definition shall include school maintenance shops and work areas.

Ground mounted sign means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.

HARD SURFACE - Concrete, blacktop and macadam or a similar surface.

HEALTH OFFICIAL (OFFICER) - The Director of the Warren County Department of Health or his designated deputy or a representative of the Virginia Department of Health - Warren County.

HEIGHT OF BUILDING - The vertical distance from the established grade of the center of the front of the building to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof and to the mean height level between the eaves and ridge for hip, gable and gambrel roofs.

Height means 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: (1) Existing grade prior to construction; or (2) The newly established grade after construction, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

Highest adjacent grade - the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC DISTRICT OVERLAY AREA or HISTORIC DISTRICT - Any area delineated by the Town Council and consisting of public or private property within the Town, containing one (1) or more historic landmarks as established by the Virginia Department of Historic Resources, or one (1) or more areas, neighborhoods, sites, places, structures, objects, artifacts or buildings in which historic events occurred or reflecting significantly the lives of historic personages or great ideas or ideals of the people, having special public value because of notable architectural, economic, ethnic, military, natural, political, religious or social factors, such landmarks, buildings, structures or areas having been designated by the Council as being of such historic, architectural or cultural interest and significance as to warrant conservation and preservation. Such designated district or districts shall not extend farther than the property line of the land pertaining to such historical landmarks, sites, buildings, signs, appurtenances, structures or objects.

Historic structure - Any structure that is: Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or, Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: By an approved state program as determined by the Secretary of the Interior; or, Directly by the Secretary of the Interior in states without approved programs.

Holiday Displays mean displays erected on a seasonal basis in observance of religious, national, or state holidays which are not intended to be permanent in nature and which contain no advertising material.

HOME OCCUPATION - An occupation conducted entirely within an enclosed dwelling and clearly incidental and secondary to the residential occupancy thereof, carried on by a member or members of the family residing on the premises. All "home occupations" shall meet the standards in Division 8.5.

HOSPITAL - Any institution receiving inpatients and rendering medical, surgical and/or obstetrical care. This shall include general hospitals and institutions in which service is limited to

special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin and cancer, mental, tuberculosis, chronic disease and obstetrics. Such terms shall include group homes serving mentally retarded or other developmentally disabled persons.

HOTEL - A building designed or occupied as the more or less temporary abiding place for fourteen (14) or more individuals who are, for compensation, lodged with or without meals, and in which no provision is made for cooking in individual rooms or suites.

Hydrologic and Hydraulic Engineering Analysis - Analyses performed by a licensed professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.

IDENTIFICATION SIGN - A sign which displays only the address and name or crest, insignia or trademark, occupation or profession of an occupant or the name of any building on the premises.

Illegal sign means any sign erected without a required permit or which otherwise does not comply with any provisions of this article.

Illuminated sign means a sign that is backlit, internally lighted, or indirectly lighted, but does not include a neon sign.

Incentive zoning means the use of bonuses in the form of increased project density or other benefits to a developer in return for the developer providing certain features, design elements, uses, services, or amenities desired by the locality, including but not limited to, site design incorporating principles of new urbanism and traditional neighborhood development, environmentally sustainable and energy-efficient building design, affordable housing creation and preservation, and historical preservation, as part of the development.

INSTITUTIONAL BULLETIN BOARD SIGN - A sign containing a surface upon which is displayed the name of a religious institution, school, library, community center or similar institutional or community service use and the announcement of its service.

JUNKYARD - Any land or building used for the abandonment, storage, keeping, collecting or bailing of paper, rags, scrap metals, other scrap or discarded materials or for the abandonment, demolition, dismantling, storage or salvaging of automobiles or other vehicles not in running condition, machinery or parts thereof. The term "junkyard" shall include the term "automobile graveyard," which shall be any lot or place which is exposed to the weather upon which more than three (3) motor vehicles of any kind, incapable of being operated, are placed.

KENNEL - Any place, private or commercial, equipped and/or used to house, board, breed, handle, train, or otherwise care for five (5) or more dogs six (6) months of age or older.

LAUNDROMAT - A building or part thereof where clothes or other household articles are washed or dry cleaned in self-service machines with a capacity for washing not exceeding twenty-

five (25) pounds dry weight and where such washed clothes and articles may also be dried or ironed, and no delivery service is provided in connection therewith.

LAUNDRY - A building, or part thereof, other than a Laundromat, where clothes and other articles are washed, dried, ironed or dry-cleaned.

Letter of Map Amendment (LOMA) - An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a land as defined by meets and bounds or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR) - A revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Letters of Map Change (LOMC) - A Letter of Map Change is an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study.

LOCAL HISTORIC LANDMARK - Any site (including significant trees or other plant life located thereon), building or structure of particular historic significance. "Landmarks" include sites, buildings or structures where the cultural, political, archaeological, spiritual, economic, social or artistic history of the community, state or nation is reflected or exemplified or which are identified with historic personages or with important events in local, state or national history or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, style or method of construction or a notable work of construction or a notable work of a master designer or architect whose individual genius influenced his age. Listing on the Virginia Landmarks Register and the National Register of Historic Places is encouraged for all "local historic landmarks."

Local planning commission means a municipal planning commission or a county planning commission.

LODGING HOUSE - A residential building, other than a hotel, motel or bed-and-breakfast home, where lodging is provided for compensation on a regular basis, pursuant to previous arrangements, but which is not open to the public or transient guests. Meals may be provided to the residents in a central location; however, no provisions shall be made for cooking in individual rooms or units. The maximum number of rooms or units shall be controlled by the area requirements of the district in which the use is located, but in no case shall the total number of lodging rooms or units exceed ten (10). A "Lodging House" shall also be known as a "Rooming House" or a "Boarding House."

LOT - A parcel of land occupied or to be occupied by a building and its accessory buildings or by a use and accessory uses, together with such open spaces as are required under the provisions of

this chapter, having at least the minimum area required by this chapter for a lot in the zone in which such lot is situated and having its principal frontage on a public or private street approved by the Town.

LOT COVERAGE - The maximum percent of the lot which may be occupied by buildings or structures, including accessory buildings or structures.

LOT DEPTH - The average of the horizontal distances between front and rear lines of a lot measured perpendicular to the street line.

LOT INTERIOR - Any lot other than a corner lot.

LOT OF RECORD - A lot which has been recorded in the office of the Clerk of the Circuit Court.

LOT, CORNER - A lot abutting on two (2) or more streets at their intersection.

LOT, THROUGH (DOUBLE FRONTAGE) - A lot, other than a corner lot, which has a frontage on two (2) streets.

LOT, WIDTH OF - The horizontal distance between the side lines of a lot measured along the building setback line.

Lowest adjacent grade - the lowest natural elevation of the ground surface next to the walls of a structure.

Lowest floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.

MAIN BUILDING – A building that is used in conjunction with the principal permitted use of the property.

Maintained - To keep unimpaired in an appropriate condition, operation and continuance as installed in accordance with the applicable building code, or as previously approved, and in accordance with the applicable operational and maintenance provisions of the State Unified Building code.

MANUFACTURE and/or **MANUFACTURING** - The processing and/or converting of raw, unfinished materials or products, or either of them, into articles or substances of different character or for use for a different purpose.

MANUFACTURED BUILDING – A building that is manufactured, typically in a factory, and is built in accordance with the United States Department of Housing and Urban Development Code, Manufactured Home Construction and Safety Standards, or other similar federal standards; and does not meet all local or state building code standards. Modular and pre-fabricated buildings

that are manufactured and constructed in accordance with all local and state building code standards shall not be considered manufactured buildings.

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

Manufactured home park or subdivision - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MANUFACTURING, HEAVY – The use of land where significant external effects are created, and pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process.

MANUFACTURING, LIGHT – The use of land for processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor, etc. Uses may include, but are not limited to, a machine shop, the manufacturing of apparel, electrical appliances, electronic equipment, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, paper products (but not the manufacturing of paper from pulpwood), musical instruments, medical appliances, tools or hardware, plastic products (but not the processing of raw materials), pharmaceuticals or optical goods, bicycles, and any other product of a similar nature as determined by the Director.

MANUFACTURING, MEDIUM – The use of land where goods or energy are generally mass produced from raw materials on a large scale through use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Medium industry produces moderate external effects such as smoke, noise, soot, dirt, vibration, odor, etc.

Marquee means 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 means 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.

Mean Sea Level – for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988 to which base flood elevations shown on a community's FIRM are referenced.

Military installation means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under jurisdiction of the U.S. Department of Defense, including any leased facility, or any land or interest in land owned by the Commonwealth and administered by the Adjutant General of Virginia or the Virginia Department of Military Affairs. "Military installation" does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

MINI-STORAGE FACILITY - (also known as mini-warehouse) - a self-service storage building, or group of buildings, consisting of individual, small, self-contained units for the storage of good, materials or supplies.

Minor sign means a wall or freestanding sign not exceeding one (1) square foot in area, not exceeding four feet in height, and not illuminated.

Mixed use development means property that incorporates two or more different uses, and may include a variety of housing types, within a single development.

MOBILE HOME – A residential dwelling built in a factory before the federal Manufactured Home Construction and Safety Standards went into effect on June 15, 1976. New or replacement mobile homes are not permitted within the Town.

MODULAR UNIT - A factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees and other prefabricated supplements incorporated into a structure at the site. Modular units are a permitted construction type when designed to comply with Virginia Uniform Statewide Building Code, and shall not be considered manufactured homes.

Monument sign means 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.

MOTEL - An establishment consisting of a group of living or sleeping accommodations with bathroom and closet space designed for use by transient automobile tourists; less than fifty percent (50%) of the living and sleeping accommodations are occupied or designed for occupancy by persons other than transient automobile tourists.

MULTIPLEX STRUCTURE - This term shall mean a residential dwelling unit designed with not more than thirty (30) separate dwelling units for a maximum occupancy by thirty (30) families living independently of each other.

NEIGHBORHOOD RECREATION USE - This term shall include basketball courts, tennis courts, playgrounds, tot lots, picnic areas, and the like.

NEIGHBORHOOD RESTAURANTS - A restaurant of not more than 20 seats, nor five employees, open for business not later than 10 p.m.

NEIGHBORHOOD-ORIENTED COMMERCIAL - This term shall include neighborhood-oriented retail businesses with not more than 15,000 square feet of gross floor area. The term shall include convenience stores, bookstores, dry cleaners, ice cream stores, barber and beauty shops, wearing apparel stores, bakeries, drugstores, gift shops, hardware stores, or other use found to be similar to one or more uses listed herein, but shall not include automobiles sales operations.

NONTIDAL WETLANDS - Those wetlands other than tidal wetlands that are inundated or saturated by surface or ground water at a frequency or 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 Section 404 of the Clean Water Act as amended.

Neon sign means a sign containing exposed tubes filled with light-emitting gas.

NEW CONSTRUCTION, Historic District Overlay - Any construction within an historic district overlay area that is independent and exclusive of an existing building or structure or part thereof.

New construction, Floodplain Zoning - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after July 15, 1988, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NONCONFORMING ACTIVITY (USE) - The otherwise legal use of a building, structure or tract of land that does not conform to the use regulations of this chapter for the district in which it is located, either at the effective date of this chapter or as a result of subsequent amendments to the chapter.

NONCONFORMING LOT - An otherwise legally platted lot that does not conform to the minimum area or width requirements of this chapter for the district in which it is located at the effective date of this chapter or as a result of subsequent amendments to this chapter.

Nonconforming sign. Any sign which was lawfully erected in compliance with applicable regulations of the City/County/Town and maintained prior to the effective date of this chapter of the zoning ordinance and which fails to conform to current standards and restrictions of the zoning ordinance.

NONCONFORMING STRUCTURE - An otherwise legal building or structure that does not conform to the lot area, yard, height, lot coverage or other area regulations of this chapter or is designed or intended for a use that does not conform to the use regulations of this chapter for the

district in which it is located, either at the effective date of this chapter or as a result of subsequent amendments to the chapter.

NONCONTRIBUTING PROPERTIES - Properties with little historic or architectural value and with little or no contribution to the historic character of the district because of their recent age or alteration in such a way as to destroy their architectural integrity.

NURSING HOME - Also known as "extended-care home," "rest home" or "convalescent home." A nursing facility is any place containing beds for two (2) or more patients, established to render domiciliary and/or nursing care for chronic or convalescent patients and which is properly licensed by the state.

Official map means a map of legally established and proposed public streets, waterways, and public areas adopted by a locality in accordance with the provisions of Division 2.2 hereof and § 15.2-2233 et seq. of Virginia's State Code.

Off-premises sign means 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.

OFF-STREET PARKING AREA - Space provided for vehicular parking outside a right-of-way.

OPEN SPACE - Common space generally intended for passive recreation and not improved with a building, structure, vehicular travel lane, driveway, street, sidewalk, or parking area. Open space may include pedestrian ways, bike paths, trails interconnecting open space areas; undisturbed natural areas, woodlands, preservation areas; community facilities; landscaped grounds, buffers; playgrounds and tot lots; swimming and boating areas. Open space shall not include yards within individual residential lots, yards less than thirty (30) feet wide between buildings, lands occupied by tennis courts, golf courses, and buildings.

OPEN SPACE, USABLE LANDSCAPED - That space on the same lot and contiguous to the principal building or buildings (except as herein noted) which is either landscaped with shrubs, planted with grass or developed and maintained for recreation, environmental and /or aesthetic purposes, and excludes that portion of the lot which is utilized for off-street parking purposes.

OUTDOOR DISPLAY – The keeping of products, goods, merchandise, and/or materials, excluding signs, outside of an enclosed building for the purpose of making it known that similar items or related services are available for purchase.

OUTDOOR SALES – The retail selling of products, goods, merchandise, and/or materials, outside of an enclosed building.

OUTDOOR STORAGE – The keeping, without retail sale, of products, goods, merchandise, and/or materials outside of an enclosed building.

OVERHANG - Any projection, either roof, bay window or similar cantilevered construction, which extends beyond the foundation of a structure. No such construction shall project into any required yard more than three (3) feet, and no such projection shall have a vertical surface whose area is more than twenty-five percent (25%) of the area obtained by multiplying the mean height of the structure by the length of the structure along the yard which is violated. An "overhang" shall be included in the calculation of lot coverage.

PARKING SPACE - An area of not less than nine (9) feet wide by eighteen (18) feet long for each automobile or motor vehicle, such space being exclusive of necessary drives, aisle, entrances or exits and being fully accessible for the storage and parking of vehicles.

PEDDLER – A short-term temporary use of property that is permitted on commercially zoned, subject to compliance with the provisions of Chapter 98, Section 61, of the Town Code, or as amended.

PHARMACEUTICAL CENTER - An establishment in which only pharmaceutical services are provided. Its purpose shall be limited to providing the public and various health professionals with information and articles intended for use in diagnosis, cure, mitigation, treatment or prevention of a disease state, including drugs and medical instruments or devices of the type used under the strict supervision of a physician in the treatment of a specific disease entity. No articles shall be displayed for sale. The square footage of the "pharmaceutical center" shall be limited to a maximum of two thousand (2,000) square feet.

Planned unit development means a form of development characterized by unified site design for a variety of housing types and densities, clustering of buildings, common open space, and a mix of building types and land uses in which project planning and density calculation are performed for the entire development rather than on an individual lot basis.

PLANNED NEIGHBORHOOD DEVELOPMENT - Planned neighborhood development (PND) is used in two contexts. Depending upon the context, planned neighborhood development refers to the development authorized by the ordinance or a project which is proposed for consideration under this ordinance. This term shall have the same meaning as mixed-use development and planned unit development as defined in the Code of Virginia (1989 Session Virginia Acts of Assembly - Chapter 384).

PLANNING COMMISSION - The Planning Commission of the Town of Front Royal, Virginia.

Plat or "**plat of subdivision**" means the schematic representation of land divided or to be divided and information in accordance with the provisions of §§ 15.2-2241, 15.2-2242, 15.2-2258, 15.2-2262, and 15.2-2264, and other applicable statutes.

Pole sign means a sign that is mounted on one (1) or more freestanding poles.

PORCH - Any porch, veranda or gallery (as the terms are commonly and customarily defined) or similar projection from the main wall of a structure, constructed upon the ground, and covered by

a roof, canopy or awning; provided that the term shall not include any carport or other such improvement designed for and capable of accommodating the parking of a motor vehicle protected from the elements. An unenclosed porch shall mean a porch with no side enclosure, other than the side of the structure to which the porch is attached, with no screens or windows. An unenclosed porch may project into a front or rear yard not to exceed ten feet (10') nor extend any nearer than fifteen (15') from any front or rear property line. The area of a porch shall be included in the calculation of lot coverage. A porch shall not be considered an overhang, nor vice versa.

Portable sign means any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner.

PORTABLE STORAGE CONTAINERS – A large portable container, other than trailers and semitrailers, and which are typically referred to as "PODS" or cargo containers that are transported to a desired location for use as storage of products, goods, merchandise, and/or materials. Portable storage containers are subject to the provisions of Division 9.8.

POST-FIRM STRUCTURES – A structure for which construction or substantial improvement occurred after July 15, 1988.

PRE-FIRM STRUCTURES – A structure for which construction or substantial improvement occurred on or before July 15, 1988.

Preliminary subdivision plat means the proposed schematic representation of development or subdivision that establishes how the provisions of §§ 15.2-2241 and 15.2-2242, and other applicable statutes will be achieved.

Primary frontal dune - a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms.

PRINCIPAL PERMITTED USE – A specific use, or uses, of a lot that are permitted on a particular lot, based on the regulations of the underlying zoning district, and the main use, or uses, of the property, as distinguished from an accessory use.

PROFESSIONAL OFFICES - A structure designed for use by a person, or persons, in offering a service which requires specialized knowledge gained by intensive academic preparation such as medicine, law, engineering, dentistry, and other like endeavors.

Projecting sign means 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 means 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.

Public Art means items expressing creative skill or imagination in a visual form, such as painting or sculpture, which are intended to beautify or provide aesthetic influences to public areas or areas which are visible from the public realm, and is not advertising a business or product, or logo.
PUBLIC EVENT – Any temporary activity or entertainment festival that accommodates the assembly of groups or individuals on public property after all required authorizations are obtained from the local, state and/or federal government(s).
PUBLIC FACILITY - Any area, building or structure used or controlled for government purposes, that is owned, held, or operated by any department, branch or unit of the federal government, the Commonwealth of Virginia or one or more of its local governments, political subdivisions or municipal corporations.
PUBLIC PROPERTY – Property that is owned or operated by a local, state or federal government.
PUBLIC UTILITY - Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing, under federal, state or municipal regulations, to the public electricity, gas, steam, communications, telegraph, transportation, water or such other services as may be provided. Where public utilities are permitted under this Chapter, poles, lines, water towers, reservoirs, water and sewer treatment facilities, booster and relay stations, distribution transformers, pipes, meters, and other facilities necessary for the provision and maintenance of public utilities shall be permitted.
RECONSTRUCTION - Any or all work needed to remake or rebuild all or a part of any building to a sound condition but not necessarily of original materials.
RECREATION FACILITY (commercial) - A sports or activity facility which is open to the general public for a fee. These shall include but are not limited to the following: indoor skating rink, bowling alley, arcade, swimming pool, hard and soft courts, health spa, gymnasium, physical fitness center, dance studios or similar uses.
RECREATION FACILITY (public) – Facilities and uses sponsored by the Warren County Parks and Recreation Department and/or the Warren County School Administration and/or other public entities.
RECREATIONAL VEHICLE - also known as a "MOTOR HOME" and "TRAVEL TRAILER" every vehicular-type unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use, that either has its own motive power or is mounted in, or is towed by another vehicle. The basic entities are: travel, fifth wheel trailer, camping trailer and motor home. The parking and storing of such vehicles is guided by Section 8.2.1. Such term refers also to travel trailers.

RE-FACE – The act of creating a new sign message by replacing or refurbishing the non-structural components or surface of an existing lawful sign, without creating a new nonconformity to the requirements of this chapter.

REPAIRS - Any work or all work involving the replacement of existing work with equivalent material for the purpose of maintenance but not including any addition, change or modification in construction.

Repetitive Loss Structure - A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in a 10-year period, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.

Resident curator means a person, firm, or corporation that leases or otherwise contracts to manage, preserve, maintain, operate, or reside in a historic property in accordance with the provisions of § 15.2-2306 and other applicable statutes.

REST HOME - See "Nursing Home."

RESTAURANT - Any building in which, for compensation, food or beverages are dispensed for consumption on the premises, including, among other establishments, cafes, tearooms, confectionery shops and refreshment stands.

RESTORATION - Any or all work connected with the returning to or restoring of a building or a part of any building to its original condition through the use of original or nearly original materials.

RESTORATION, BEGINNING OF - After a nonconforming use or structure has been totally or partially destroyed, includes the clearing of debris within thirty (30) days of destruction and applying for a permit to rebuild within eighteen (18) months of said destruction.

RETAIL STORES AND SHOP - Buildings for display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive of coal, wood, oil and lumberyards, and accessory uses.

RETIREMENT LIVING FACILITIES - In accordance with Virginia Code Section 36-96.7, residential structures within a planned neighborhood development that are intended to be absent of school age children and which ensures, through covenants, management regulations or other similar legal instruments, enforceable by a homeowners' association or other similar private entity, that at least one of the residents of at least 80% of the units is 55 years of age or older. Such facilities may include extended care or nursing home facilities as defined in Article 11 of this chapter.

REVIEWING BODIES - All individuals, boards or elected/appointed bodies, given review authority under this Article, including the Zoning Administrator, Board of Architectural Review and Town Council, upon appeal.

ROADSIDE STAND – The commercial sale of agricultural products that are grown, raised, and/or crafted on the same premises in conjunction with the use of the property for agriculture, as defined herein.

Roof sign means 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.

ROOMING HOUSE - See "Lodging House."

SANDWICH BOARD SIGN – A two-sided, self-supporting sign attached at the top with the two sides separated by approximately 45 degrees.

SCHOOLS - A public school, or a private school certified by the State of Virginia in accordance with the provisions of Virginia Code Section 22.1-319 et seq., or such educational and training institutions as are exempt from state certification under the provisions of Virginia State Code Section 22.1-320, as amended.

SCREENING - Any device, materials, coniferous or deciduous growth, or combination thereof, such as plantings, walls, fences, or earthen berms, of sufficient height and density, as determined by the Zoning Administrator, required to serve as an opaque barrier, to vision, light, or noise between adjoining properties.

SECTIONAL HOME - A dwelling made of two (2) or more modular units transported to the home site, put on a foundation and joined to make a single dwelling. Such units shall meet the requirements of the Building Code of the Town of Front Royal.

SETBACK - The minimum distance by which any building or structure must be separated from the front lot line.

Severe repetitive loss structure - a structure that: (a) Is covered under a contract for flood insurance made available under the NFIP; and (b) Has incurred flood related damage - (i) For which 4 or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding $5,000, and with the cumulative amount of such claims payments exceeding $20,000; or (ii) For which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

Shallow flooding area - A special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

SHOPPING CENTER - Any conglomeration of commercial activities sharing a parcel of land which is held in single ownership and sharing parking facilities.

Sign. Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. The term does not include public art, architectural elements incorporated into the style or function of a building, or flags of any nation, state, or other geopolitical entity not related to a commercial business, product or service. The term "sign" also does not include the display of merchandise for sale on the site of the display.

Sign face means the portion of a sign structure bearing the message.

Sign structure means any structure bearing a sign face.

SIGN, AREA OF - The entire area within a circle, triangle, parallelogram or trapezoid enclosing the extreme limits of writing, reproduction, emblem or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. On double-faced signs, only one (1) display face shall be measured in computing total sign area where sign faces are parallel and are at no point more than two (2) feet from one another.

SIGN, BUSINESS - A sign which directs attention to a business, commodity, service, activity or product sold, conducted or offered upon the premises where such sign is located.

SIGN, HOME OCCUPATION - A sign not exceeding two (2) square feet (on each side) in an area directing attention to a product, commodity or service available on the premises, but which product, commodity or service is clearly a secondary use of the dwelling.

SIGN, IDENTIFICATION - A sign on the premises bearing the name of a subdivision, the name of a group housing project or of a school, college, park, church or other public or quasi-public facility or a professional or firm nameplate, but bearing information pertaining only to the premises on which such sign is located.

SIGN, OUTDOOR ADVERTISING - Any sign of any material and any character whatsoever, (including erection, construction, posting, painting, printing, tacking, nailing, gluing, sticking, carving or other fastening, affixing or making visible in any manner), which is placed for outdoor advertising purposes in any way whatsoever. Such sign is one which is not located on the premises of the activity, product, commodity or service to which it refers. The term "billboard" is covered by this definition.

SIGN, TEMPORARY - A sign applying to a seasonal or other brief activity, such as, but not limited to, summer camps, horse shows, auctions or sale of land.

SIGNIFICANT CHANGE - A permanent change that alters the general appearance (architectural character) of a building.

Site plan means the proposal for a development or a subdivision including all covenants, grants or easements and other conditions relating to use, location and bulk of buildings, density of development, common open space, public facilities and such other information as required by the subdivision ordinance to which the proposed development or subdivision is subject.

SPECIAL CHILDCARE SERVICES – One of the following types of daycare: a licensed summer camp under Virginia Code Section 35.1-1, a public school, a private school not operating as a child-care center outside the scope of regular classes as defined in Virginia Code Section 63.1-195, a facility operated by a hospital on the hospital premises providing care to the children of hospital's employees while such employees are engaged in the performance of work for the hospital, a Sunday School, conducted by a church or religious institution, or a day care facility operated by a church or religious institution where children are cared for during short periods of time while the persons responsible for such children are attending religious services, and babysitting.

Special exception means a special use that is a use not permitted in a particular district except by a special use permit granted under the provisions of this chapter and any zoning ordinances adopted herewith.

Special flood hazard area - The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Section 7.1.2(2.3) of this ordinance.

SPECIAL USE PERMIT - A permit granted by the Town Council, upon recommendation from the Planning Commission and after public hearing, for a use permitted by the Council to occupy land and/or a building erected thereon for a specific purpose not permitted by right, but permitted in accordance with standards or conditions established in this chapter or by the Planning Commission and/or Town Council in accordance with procedures established by law.

Start of construction - For other than new construction and substantial improvement, under the Coastal Barriers Resource Act (P.L. – 97-348), means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or

not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STOOP - A porch without a roof, cover or overhang, which may project into a front or rear yard for a distance not exceeding ten (10) feet and into a side yard for a distance not exceeding five (5) feet.

STORY - That portion of a building other than a cellar or mezzanine, included between the surface of any floor to the beams of the floor next above it or, if there is not a floor above it, then the space between the floor and the top of the roof beams; a mezzanine shall be deemed a full story when it covers more than thirty-three (33%) of the area of the story beneath the mezzanine or if the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more.

STORY, HALF - A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.

Street means highway, street, avenue, boulevard, road, lane, alley, or any public way.

STRUCTURAL ALTERATION - Any change in the supporting members of a building or structure, such as bearing walls, partitions, columns, beams or girders, or any change in the width or number of exits or any substantial change in the roof.

STRUCTURE - Anything man-made, including but not limited to main buildings, outbuildings, fences, walls, lampposts, light fixtures, signs, signposts, billboards and paving.

Structure, Floodplain Zoning - for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

STRUCTURE, OUTDOOR ADVERTISING - Any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, including also outdoor advertising statuary.

STRUCTURE, PRINCIPAL - A structure in which the principal or primary use of the property is carried out.

SUBDIVISION - The division of a parcel of land into two (2) or more lots or parcels for the purpose of transfer of ownership or building development. The term includes resubdivision and, when appropriate to the context of the Front Royal Subdivision Ordinance, shall relate to the process of subdividing or to the land subdivided.

Subdivision, unless otherwise defined in an ordinance adopted pursuant to § 15.2-2240, means the division of a parcel of land into three or more lots or parcels of less than five acres each for the purpose of transfer of ownership or building development, or, if a new street is

involved in such division, any division of a parcel of land. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided and solely for the purpose of recordation of any single division of land into two lots or parcels, a plat of such division shall be submitted for approval in accordance with § 15.2-2258. Nothing in this definition, section, nor any ordinance adopted pursuant to § 15.2-2240 shall preclude different owners of adjacent parcels from entering into a valid and enforceable boundary line agreement with one another so long as such agreement is only used to resolve a bona fide property line dispute, the boundary adjustment does not move by more than 250 feet from the center of the current platted line or alter either parcel's resultant acreage by more than five percent of the smaller parcel size, and such agreement does not create an additional lot, alter the existing boundary lines of localities, result in greater street frontage, or interfere with a recorded easement, and such agreement shall not result in any nonconformity with local ordinances and health department regulations. Notice shall be provided to the zoning administrator of the locality in which the parcels are located for review. For any property affected by this definition, any division of land subject to a partition suit by virtue of order or decree by a court of competent jurisdiction shall take precedence over the requirements of Article 6 (§ 15.2-2240 et seq.) and the minimum lot area, width, or frontage requirements in the zoning ordinance so long as the lot or parcel resulting from such order or decree does not vary from minimum lot area, width, or frontage requirements by more than 20 percent. A copy of the final decree shall be provided to the zoning administrator of the locality in which the property is located.

Substantial damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. It also means flood-related damages sustained by a structure on two occasions in a 10-year period, in which the cost of the repair, on the average, equals or exceeds 25 percent of the market value of the structure at the time of each such flood event.

SUBSTANTIAL EXTERIOR ALTERATION - Any change, other than incidental repairs, to the supporting members of a building or portion thereof, such as the addition, removal or alteration of bearing walls, columns, beams, girders, roofs or foundations, that are visible on the exterior of the structure.

Substantial improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. The term does not, however, include either: Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or; Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific

ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

SURVEYOR, LAND - A licensed professional surveyor registered in the Commonwealth of Virginia by the Department of Professional and Occupational Registration as a surveyor.

TECHNOLOGY BUSINESS - A business consisting of one or more than one in combination of the following:

Electronic Information Operations and Providers – Businesses that assist other businesses to better manage their paper documents by putting them in an electronic database that can easily be viewed by a larger group of people.

Internet Service Providers – Businesses that provide Internet service to businesses or residents.

Software Design and Development - Businesses that design software or businesses that develop the design of specific software.

Computer and Peripheral Sales and Assembly - Businesses that assemble computers or sell the hardware associated with computers.

Content Developers - Businesses that design and build computer systems.

Internet Based Sales and Services - Businesses whose primary trade is based on the Internet, be it sales or service providers.

Hardware Design, Manufacture, Assembly, and Development – Businesses that manufacture, assemble, or develop hardware design for computers.

Telecommunications Based Video Service Providers – Businesses that use video-conferencing or cable connections for employees to telecommute.

Outbound or Inbound Call Centers – Businesses that either market their product through phone calls or businesses that answer consumer questions.

Telecommunications Equipment Manufacturing, Assembly, and Service – Businesses that build, put together or service telecommunications equipment.

Temporary sign means a sign constructed of cloth, canvas, vinyl, paper, plywood, 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.

TEMPORARY TRAILERS – A transportable manufactured building, similar to a manufactured home, but not used for residential purposes.

THEATER, INDOOR - A building designed and/or used primarily for the commercial exhibition of motion pictures to the general public or used for performance of plays, acts and dramas by actors and/or actresses.

TOURIST HOME - See "Bed and Breakfast Home."

TOWNHOUSE - At least three (3) and not more than eight (8) attached dwelling units forming a continuous structure, each unit being separated by unpierced common or party walls of masonry construction going through the roof of said unit void of fenestration or means of ingress or egress from the basement through the roof with individual exterior entrances at grade and with not more than four (4) abutting "townhouses" or dwelling units having the same front yard setback; the setback differential shall be at least three (3) feet. Each "townhouse" unit shall occupy no fewer than two (2) stories in structure.

TRAILER – Every vehicle without motive power designed for carrying property and passengers wholly on its own structure and for being drawn by a motor vehicle.

TRAVEL TRAILER - Any recreational vehicle.

USE - The purpose or activity for which land or buildings thereon is designed, arranged or intended or for which it is occupied or maintained and shall include any manner of performance of such activity with respect to the performance standards of this chapter.

Variance means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

Vehicle or trailer sign means 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.

Violation - the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation

certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Wall Sign means any sign attached to a wall or painted on or against a flat vertical surface of a structure.

Watercourse - A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Window sign means 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.

WIRELESS TELEPHONE TELECOMMUNICATION TOWERS - Facilities for the proviso of personal wireless services, as defined by 47 U.S.C Section 332 (Section 704 of the Telecommunications Act of 1996), including those Federal Communications Commission licensed commercial wireless telecommunications services such as cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), and unlicensed wireless services and common carrier wireless exchange access services; also referred to generally as "tower(s)" under Division 9.9 of this Chapter.

Working waterfront development area means an area containing one or more working waterfronts having economic, cultural, or historic public value of such significance as to warrant development and reparation.

Working waterfront means an area or structure on, over, or adjacent to navigable waters that provides access to the water and is used for water-dependent commercial, industrial, or governmental activities, including commercial and recreational fishing; tourism; aquaculture; boat and ship building, repair, and services; seafood processing and sales; transportation; shipping; marine construction; and military activities.

YARD - An open space of a generally uniform width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is occupied and unobstructed from the ground upward except as otherwise provided herein.

YARD, FRONT - A yard extending across the full width of the lot and lying between the adjacent street right-of-way line and the building setback line.

YARD, REAR - A yard extending across the full width of the lot and lying between the rear property line of the lot and a line drawn generally parallel thereto, at such distance as specified in this chapter.

YARD, SIDE - A yard between the side lot line and a line drawn generally parallel thereto, at such distance as may be specified herein for any district, and extending from the front yard line to the rear yard line.

ZONING ADMINISTRATOR - See "Administrator."
ZONING MAP - The Official Zoning Map of the Town of Front Royal, Virginia, and all amendments thereto.
ZONING PERMIT - A permit issued by the Zoning Administrator to the applicant before the applicant may proceed with any work affected by any provision of this chapter or begin any uses of land and/or structures as permitted by this chapter.

Comments submitted by Vice Chairman Neel.

Auxiliary Dwelling Unit (ADU) or Granny Flat - A secondary, self-contained residential unit located on the same lot as a primary single-family dwelling. It includes independent living facilities such as a kitchen, bathroom, sleeping area, and separate entrance.
Designated Special Circumstance Housing - Residential accommodations that are specifically utilized to meet the needs of housing for individuals that fall in one of the following categories; a) Individuals with Developmental Disabilities, b) Veteran's Housing, c) Emergency Family Housing, d) Shelter for Domestic Abuse Victims, e) Shelter for At-Risk Children.
Individuals with Developmental Disabilities - Specialized living arrangements designed to help individuals with developmental disabilities transition from institutional settings or other environments into more independent, community-based living situations.
Veterans' Housing - Living arrangements designed to provide veterans with a safe, stable environment while they transition from military service to civilian life or while they wait for more permanent housing solutions.
Emergency Family Housing - Short-term housing, immediate shelter provided to individuals or families who are experiencing a crisis or urgent need for a place to stay.
Shelter for Domestic Abuse Victims - Shelter for domestic abuse victims refers to short-term, safe housing provided to individuals who are escaping situations of domestic violence or abuse.
Shelter for At-Risk Children - Shelter for children at risk generally refers to short-term housing or care provided to children who are in immediate danger or facing circumstances that put their safety, well-being, or development at risk.
DSPH Temporary Housing – 1 year or less
Congregate Living - Residential arrangement where multiple unrelated individuals of nine (9) or more persons live together in a shared housing environment, typically with some level of support or shared services. It is regulated separately from single-family homes or traditional apartment units due to its unique characteristics. Congregate living housing offers permanent or temporary housing and general care (training, treatment, or special care) in a supportive setting. Facilities may offer counselling and services for more than eight persons in DSCH housing and is subject to SUP, group homes and local zoning restrictions.
Energy-Intensive User -Any use that consumes more than a peak demand of 1000kw (1mw) or more. (Reference Dominion Energy)
Water-Intensive User - Any use that consumes more than 100001 gallons per month. Front Royal billing cycle transition point from 1st tier of water use threshold.
Industrial Noise Standard Maximum – Maximum noise level of 55dBA permitted at property line. (55 dBA is considered a moderate sound level, comparable to a normal conversation or background music.)

Façade Articulations - Large building façades broken up using variations in materials, setbacks, or changes in roofline every 50-75 feet to avoid monotony. This includes incorporation of vertical and horizontal elements such as pilasters or banding. Intended to avoid large ugly buildings
Restricted Historical District Single Family Housing - Undeveloped residential lots and single-family residences that are restricted from any use other than as single-family residential. Support to Text change to protect single family homes in Historic District
Existing Definitions Suggested Changes
Is: **ALL-WEATHER SURFACE** - Crushed rock, gravel or similar surface shall constitute an all-weather surface. **Proposed:** **ALL-WEATHER SURFACE:** A surface constructed and maintained to support heavy or vehicular traffic under all normal weather conditions. It may include asphalt, concrete, gravel, or other materials approved designed to prevent excessive rutting, erosion, or mud.

Note: Green text is informational and not part of final product.

	A-1 Agriculture and Open Space	R-E Estate Residential	R-S Suburban Residential	R-1 Residential Low Density	R1-A (7) Residential Low to Medium Density	R-2 Residential Medium Density	R-3 Residential Medium to High Density	PND Planned Neighborhood Development	C-1 Community Business	C-2 Downtown Businesss (change to Downtown Mixed Use)	C-3 Highway Corridor Business	MCD Mixed-Use Campus Development	I-1 Limited Industrial	I-2 Industrial Employment
Residential Uses														
Apartment (175-113)							S	P	S	S (12)				
Caretaker quarters									P		P	P	P	P
Conversion of existing residential and/or commercial structures into buildings with a greater number of dwelling units.										P				
Manufactured Home	P													
Multi-family dwellings							P	P		P		S		
Retirement living facilities (handicapped accessible)								P						
Single family dwelling, detached	P	P	P	P	P	P	P	P		P		S		
Tenant housing for an agricultural use	S													
Townhouses						P	P (8)	P (with max 8 units. structure)	S	P				
Duplex: Two-Family Dwellings (attached)					P	P	P	P		P				
Up to three (3) dwelling units of any type, but not on the ground floor					P				P					
Commercial Uses														
Airport (including heliports)														S
Appliance stores and repair services									P		P	P		
Assembly Halls									P	P	P	P	S	S
Assisted Living Facility								S	P					
Automobile and truck sales lots and leasing agencies, in accordance with 175-44.E.									P	S	P	P	P	P
Automobile garages, excluding where repairs work is only an accessory use, subject to the requirements of Section 175-110.3 where motor vehicle painting or body work services are provided.									S	S		S	P	P
Automobile Parking Lots, commercial									S		S			
Automobile service stations, in accordance with 175-110.									P	S	P	S		P

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Automotive fuel and neighborhood retail								S		S				
Bakeries, when products are sold as retail on the premises.									P	P	P	P		
Banks, branch banks and financial institutions.								P (if >50 ac)	P	P	P			
Barber and beauty shops									P	P	P		S	S
Bed and Breakfasts			S	S		S	S	S	S	S				
Billiard parlors and poolrooms											P			
Bowling Alleys											P			
Business or professional offices								P (if >50 ac)					S	P
Car washing									P			P		
Catering Services									P	P		P		S
Clubs													S	S
Coal and wood yards, lumberyards and feed/seed stores.													P	P
Commercial outdoor recreation, including athletic and park facilities, amphitheaters, stadiums, botanical gardens, campgrounds and seasonal recreational facilities, subject to the standards of Section 175-10.10.D	S													
Commuter parking facilities									P		P	P	P	P
Contractor's offices, display rooms and storage									P			P	P	P
Conversion of a structure originally designed and intended for occupancy as a single-family dwelling into a structure with more than one (1) dwelling.							S							
Day Care Facilities and schools, subject to the provisions of Section 175 -107.1F	-	S	S	S	S	S	S	P (gets den bonus)	S	S		S		S
Department Stores									P	P (11)	P	P		
Drugstores									P	P	P	P		
Flea Markets and Farmer's Market, subject to the standards of Section 175-10.10.B	S									S				
Florist shops/floral designers									P	P	P	P		
Funeral homes									P	P	P	P		
Furniture stores									P	P	P	P	P	P
Grocery stores									P	P	P	P		
Hardware stores									P	P	P	P		
Hospitals	S											P		

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Hospitals and other semipublic facilities of an institutional nature.							P							
Kennels									S				S	S
Laundries, Laundromats and dry cleaners									P	P		P		
Lumber and building supply, with storage under cover									P		P	P	P	P
Machinery sales and service									P		P	P		
Model Homes	-	Zoning permit?	Zoning Permit?	Zoning Permit?	Zoning Permit?	Zoning Permit?	Zoning Permit?							
Motels, hotels, and tourist homes.									P	P	P	S		
Neighborhood restaurants;								P (if >50 ac)						
Neighborhood–oriented commercial businesses;								P (if >50 ac)						
Newspaper and other printing establishments									P	P		P		
Nursing Homes 175-107						S	P		S			P		
Personal services								P (if >50 ac)	P	P	P	P		
Pet Shops, without boarding kennel										P				
Pharmaceutical centers as set forth in Section 175-108.							P		P		P	P		
Professional and Business Offices										P	P	P	S	P
Professional offices as set forth in Section 175-108.							P							
Radio and television broadcasting stations, studios or offices.									P	P	P	P		
Recreational Facility, Commercial									P	P	P	P	S	S
Recreational Facility, Public												P		
Restaurant, except drive-in												P		
Restaurants, including drive-in restaurants									P	P	P	S	S	S
Retail Stores, as defined in Section 175-39.C.									P (13)	P	P (13)	P	S	S
Shopping centers as set forth in Section 175-111.									S		S	P		
Special childcare services									P					
Technology business, as defined in Section 175-3, provided that such use does not involve broadcast or communications towers or manufacturing operations.									P	P	P	P	S	P
Theatres, Indoor									P	P	P	P		
Veterinary hospitals									P		P	P	P	P
Wearing-apparel stores									P	P	P	P		
Wireless Telecommunication Facility												P		

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Industrial Uses														
Automobile Graveyard														S
Distribution facilities, subject to the standards and criteria for industrial uses provided in Section 175-70.									S		S	S	P	P
Hazardous Material Storage														S
Heavy Manufacturing														S
Light Manufacturing												P	P	P
Medium Industrial / Manufacturing												S	S	S
Mini-Storage Facility												S		
Scrap metal processing														S
Wholesale establishments with storage and processing, subject to the standards and criteria for industrial uses provided in Section 175-70.									S		S	S	P	P
Woodworking and upholstery shop													P	P
Organizational/Institutional														
Art Galleries and Museums							S	S	P	P	P	P		
Boarding Houses, Clubs & Lodging Houses									S	S	P			
Churches	S		S	P	P	P	P	P	P	P	P	P		
College or university, with living quarters												S		
College or university, without living quarters												P		
Community Center/Hall				S	S	S	S	P (gets den bonus)				P		
Fire and Rescue Squads and Police Stations.				S	S	S	S					P		
Laboratory, pharmaceutical and/or medical.													P	P
Municipal buildings								P				P		
Public Libraries			S	P	S	S	S	P	P	P	P	P		
Schools	S		S	P	P	P	P	P	S	S		P		P
Schools, adult instructional facilities only												P		
Schools, other than adult instructional facilities												S		

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Miscellaneous														
Accessory uses, structures and buildings.	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Agriculture, excluding tenant housing and all slaughtering activities subject to the standards of Section 175-10.10.A	P	-												
Boarding Houses, Clubs & Lodging Houses									S					
Cemeteries	P	-					S							
Clubs										P				
Communal Garage												P		
Communication towers, in accordance with Section 175-110.4									S		S			S
Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions prescribed in Section 175-110.4.	P								S		S		S	
Conversion of a structure originally designed and intended for occupancy as a single-family dwelling into a structure with more than one (1) dwelling.									S					
Home Occupations	P	P	P	P	P	P	P		P	P	P		P	P
Lodging houses, rooming houses and boarding houses.							S		S	S				
Mini-warehouses, subject to the standards of Section 107-44.G.									S				S	S
Open space and Conservation Areas	P	P	P	P	P	P	P	P	S	S			S&P	P
Parking Structures									S		S		S	S
Private Garage												P		
Public Event												P		
Public Facilities (see Ch 72 for festivals)	P	P	P	P	P	P	P		P	P	P	P	P	P
Public Garage												P		
Public Parks and Playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public transportation terminals												P		
Public Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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	Signs, as set forth in Section 175-106	P	P	P	P	P	P	P		P	P	P	P	P	P
	Special Childcare Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Structures with a gross floor area of 50,000 square feet or more.									S		S			
	Structures with a height between 45 feet and 70 feet, and any residential structure not in conformance with the height limitation of Section 175-41.									S		S			
	Townhouse-style commercial development, where the intent is to divide the property into individual lots.									S					
Prohibited Uses PND															
	Junkyards, off-site signage, used automobiles and truck/trailer sales, manufactured and mobile homes, outdoor storage yards, and industrial uses are prohibited in a Planned Neighborhood Development.								x						

(1) no building need be set back more than the average of the setback of the immediately adjoining structures on either side

(2) A public or semipublic building, such as a school, church or library, may be erected to a height of sixty (60) feet from grade, provided that required front, side and rear yards shall be increased one (1) foot for each foot in height over fifty (50) feet.

(3) Exceptions for building heights tent to be for school, church or library with added provision on setbacks

(4) Min lot size SFU 7k; schools 20k; churches 20k; parks 5k; public no reg; other public fac 20K

(5) Min lot width: SF Corner 70'; interior lots 50'; Parks - no regulation; all other 100'; AND min district size is 3 acres

(6) Public or semipublic buildings: forty-five (45) feet maximum, provided that the required front, side and rear yards are increased by two (2) feet for each foot in height over thirty-five (35) feet.

Exemptions from height requirements: 1. Church spires. 2. Belfries. 3. Cupolas. 4. Municipal water towers. 5. Chimneys. 6. Flues. 7. Flagpoles. 8. Television antennas. 9. Radio aerials.

(7) R-1A has a section on Optional Cluster Development Standards

(8) By Right: Townhouses developed on sites of twenty thousand (20,000) square feet up to one (1) acre as set forth in Section 175-112. SUP needed if Townhouses on sites over one (1) acre, as set forth in Section 175-112.

(9) Exceptions: 1. The height limit for structures may be increased up to sixty (60) feet and up to five (5) stories, provided that required front, side and rear yards shall be increased one (1) foot for each foot of building height over thirty-five (35) feet.

	2. Church spires, belfries, cupolas, monuments, municipal water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.
(10)	For the purpose of this section, "retail stores" are defined as buildings for the display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive of coal, wood and oil and lumberyards, accessory uses, adult bookstores (stores engaged in the sale of magazines and other publications of sexually-oriented nature), massage parlors and stores engaged in the sale of sexual aids, devices and merchandise.
(11)	Department stores 15and grocery stores that are 15,000 sq ft or less
(12)	Apartments located in buildings constructed after January 1, 1999, in accordance with the area requirements in Section 175-49.
(13)	For the purpose of this section, "retail stores" are defined as buildings for the display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive of coal, wood and oil and lumberyards, accessory uses, adult bookstores (stores engaged in the sale of magazines and other publications of sexually-oriented nature), massage parlors and stores engaged in the sale of sexual aids, devices and merchandise.
(14)	The side and rear yard adjoining or adjacent to a residential district shall be forty (40) feet.