



## TOWN COUNCIL REGULAR MEETING

Monday, June 22, 2026 @ 7:00pm

Warren County Government Center

View LIVE on Government Access Channel 16 or <https://www.frontroyalva.com/673/Town-Hall-Live>

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**- I move that Council approve the minutes of May 26, 2026 meeting, June 1, 2026, work session, June 4, 2026 Special Meeting and June 8, 2026, work session, as presented.
5. **ADDITION/DELETION OF ITEMS FROM THE AGENDA (REQUIRES UNANIMOUS VOTE) AND/OR REVISION TO ORDER OF BUSINESS (REQUIRES MAJORITY VOTE)**
6. **RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS**
  - A. Recognition of Retirement Tina L. Presley
  - B. Employee Appreciation Proclamation
7. **PUBLIC HEARINGS**
  - A. Sale of Publicly Held Real Property, to wit, 6,211 square foot portion of the unimproved street Lowe Lane between Lot 27A and Braxton Road, previously conditionally vacated by ordinance, to the abutting property owners, Theodore Kane for the amount of \$3,375.85, and Paul Rush for the amount of \$5,395.42
  - B. An Ordinance Amendment to repeal Town Code Chapter 148, Subdivision and Land Development Ordinance
  - C. Zoning Text Amendments to Town Code §175-3-Definitions to define Data Centers, and Town Code §175-64 – Statement of Intent, Industrial Employment District (I-2), to add Data Centers with performance standards by special use permit
8. **PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS**
9. **REPORTS**
  - A. Report of Town Manager
  - B. Report of Councilmembers
  - C. Report of the Mayor
10. **CONSENT AGENDA ITEMS**
  - A. Hourly Wood Grinding Service Contract
  - B. Downtown Parking Study
  - C. Re-appointment of Non-Elected Representative to the Northern Shenandoah Valley Regional Commission (NSVRC)
  - D. Amendment to the Town's Freedom of Information Act (FOIA) Policy
  - E. Deed of Easement and Right-of-Way from Robert & Vivian Lake to the Town of Front Royal for continued access serving Tax Map No. 12-41-1 and locations of the Guard Hill Water Tank
  - F. Deed of Easement from Baugh Dr. LLC to the Town for a 20' Public Waterline Easement Serving Lot 6, Stephens Industrial Park (Tax Map No. 5C-6)
11. **CLOSED MEETING**
12. **ADJOURN**



Moment of Silence

Pledge was led by Brielle Whited

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell  
Vice Mayor Amber F. Veitenthal (entered at 7:10pm)  
Councilwoman Melissa DeDomenico-Payne  
Councilman Joshua L. Ingram  
Councilman H. Bruce Rappaport  
Councilman R. Wayne Sealock  
Councilman Glenn E. Wood

OTHERS PRESENT: Town Manager Joseph W. Petty  
Town Attorney George M. Sonnett, Jr.  
Clerk of Council Tina L. Presley  
Deputy Clerk of Council Hillary Wilfong

### APPROVAL OF MINUTES

Councilman Sealock moved, seconded by Councilman Rappaport, that Council approve the minutes of the April 27, 2026, Regular Meeting, May 4, 2026, Work Session, and May 11, 2026, Work Session as presented.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
No – None  
Absent – None  
Abstain – None

### ROLL CALL

**ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS-** None.

### RECOGNITIONS/AWARDS/REPORTS

Mayor Cockrell recognized the participants of the Town of Front Royal Citizens Academy, which ran from September 2025 through April 2026. The program provided residents with an in-depth overview of Town government operations and services, including Public Safety, Public Works, Water and Wastewater Treatment, Planning & Zoning, Energy Services, and Community Development. The Academy was created to promote community engagement and increase understanding of local government operations. Mayor Cockrell noted that the Academy has been a rewarding experience and expressed his intention to continue offering the program for residents interested in participating.

### PUBLIC HEARINGS

**Sale of 1,800 square foot portions of the unimproved alley located between W. 13<sup>th</sup> and 14<sup>th</sup> Streets, previously conditionally vacated by ordinance-** Pursuant to Virginia Code §15.2-1800, a public hearing was held regarding the proposed sale of a 1,800-square-foot portion of the unimproved alley located between West 13th and 14th Streets to the abutting property owner, West Brown, for the amount of \$24,933.88.

The property was conditionally closed and vacated by ordinance on April 27, 2026, following a public hearing held to receive public comment.

Mayor Cockrell opened the public hearing and, as there were no speakers, closed the public hearing.

Councilman Rappaport moved, seconded by Vice Mayor Veitenthal that Council approve the sale of publicly held real property described as an 1,800 square foot portion of the unimproved alley located between W. 13th and 14th Streets, previously conditionally vacated by ordinance, to the abutting property owner, West Brown, for the amount of \$24,933.88.



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](http://www.frontroyalva.com) for a limited time.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
No –  
Absent –None  
Abstain – None                      **ROLL CALL:**

**Special Use Permit to Allow a Short-Term Rental at 1521 N. Royal Avenue by Robert/ Melissa Mitchell-** Council considered an application submitted by Robert and Melissa Mitchell for a Special Use Permit (SUP) to allow a Short-Term Rental, as defined in Town Code §175-3, at 1521 N. Royal Avenue, identified by Tax Map 20A3-3-66-21A. The property is zoned R-1 Residential District.

The applicants propose renting the home as a whole with six (6) bedrooms and a maximum occupancy of ten (10) guests at a time. The home is the applicants’ secondary residence. While there is a permitted accessory structure located on the property, the application does not include use of the accessory structure as part of the rental. The Planning Commission recommended approval of the Special Use Permit at its April 15, 2026, meeting with no conditions. Staff had no additional comments.

Applicant Melissa Mitchell addressed Council and provided an overview of the proposal and the family’s long-term intentions for the property, known as Edge Hill, a historic home located on approximately 4.3 acres. Ms. Mitchell stated that the family views the property as a future permanent residence and intends to preserve and maintain the historic character of the home. She explained that the applicants intentionally limited the occupancy request and do not intend to maximize the property as a commercial investment.

Ms. Mitchell further stated that guests would be screened prior to booking, parties and large gatherings would be prohibited, quiet hours would be enforced, and a “Noise Aware” monitoring system would be installed to address potential noise concerns. She also advised that the accessory dwelling on the property would not be rented and would instead allow the owners or local management to maintain an on-site presence when guests are staying at the home. Additionally, the applicants have prepared a management plan outlining guest expectations and enforcement measures. Letters were sent to adjoining property owners notifying them of the public hearing.

Mayor Cockrell opened the public hearing and, as there were no speakers, closed the public hearing.

In furtherance of the purposes and objectives contained in Town Code §175-3, Vice Mayor Veitenthal moved, seconded by Councilman Ingram, that Council approve a Special Use Permit (SUP) application submitted by Robert and Melissa Mitchell to allow a short-term rental at 1521 N. Royal Avenue, identified by Tax Map 20A3-3-66-21A.

Councilman Rappaport stated that he has consistently voted against similar requests and would also be voting no on this matter due to the low-density character that the R-1 zoning district is intended to preserve for quiet residential living. He added that he may view the request differently if the property were owner-occupied.

**Vote:** Yes – Councilmembers, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
No – Councilman Rappaport  
Absent –None  
Abstain – None                      **ROLL CALL:**

**Zoning Text Amendment to Town Code Chapter 175 to Define Firearms Retail Establishment and Firearms Manufacturing, to permit Firearms Retail Establishments by-right in the C-1 Community Business District and to permit Firearms Manufacturing by Special Use Permit-** Council held a public hearing regarding an application for a Zoning Text Amendment to define “Firearms Retail Establishment” and “Firearms Manufacturing” in Town Code §175-3, amend Town Code §175-



39.A to permit Firearms Retail Establishments by-right in the C-1 Community Business District, and amend Town Code §175-39.B to permit Firearms Manufacturing by Special Use Permit.

The proposed text amendment relates to whether the assembly of firearms, which is currently classified as an industrial use under Town Code, is appropriate within a commercial zoning district. Staff noted that the primary use of the subject property is retail sales of firearms. The applicant's Federal Firearms License (FFL 07) issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) permits the assembly and repair of firearms at the location; however, the Town Code does not currently permit that activity. The proposed amendment would require a Special Use Permit should the assembly or manufacturing use become more intensive than the retail operation. The Planning Commission recommended approval of the amendment at its April 15, 2026, meeting with no conditions. Staff had no additional comments.

Applicant David Cressell thanked Council for reviewing the application and stated he was available to answer questions. Councilman Rappaport asked for clarification regarding modifications to lower receivers on site. Mr. Cressell explained that, under the ATF definition of manufacturing, the activity would consist primarily of assembly of completed lower receivers and components. He stated there would be no machining, milling, lathing, or other fabrication occurring on site, and no testing of firearms would occur at the location.

Mayor Cockrell opened the public hearing and, as there were no speakers, closed the public hearing.

Councilman Ingram moved, seconded by Councilman Wood, that Council adopt an Ordinance to amend Town Code §175-3 to define "Firearms Retail Establishment" and "Firearms Manufacturing," to amend Town Code §175-39.A to permit Firearms Retail Establishments by-right in the C-1 Community Business District, and to amend Town Code §175-39.B to permit Firearms Manufacturing by Special Use Permit.

Vice Mayor Veitenthal expressed support for the proposed zoning text amendment and the applicant's business. She stated that she is always encouraged when a new business chooses to locate within the Town of Front Royal, particularly in a previously vacant building that was not generating tax revenue. She noted that she was familiar with the business owner's longstanding operation in Warren County and believes the business will provide a valuable service to residents throughout the Northern Shenandoah Valley.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
No – None  
Absent –None  
Abstain – None                      **ROLL CALL**

**Zoning Text Amendment to Town Code Chapter 175 to Redefine Urban Agriculture and Agricultural Pursuits Amend Performance Standard to Clarify Lot Sizes and Permitted Animals-** Council held a public hearing regarding a proposed zoning text amendment to Chapter 175 of the Town Code to redefine Urban Agriculture and Agricultural Pursuits and amend performance standards to clarify lot size requirements and permitted animals.

Staff presented that the current Urban Agriculture Ordinance contains inconsistencies with other sections of the Town Code, creating administrative and enforcement challenges. Staff further explained that portions of the existing language are contradictory and unclear regarding lot size limitations and permitted animals. The proposed ordinance seeks to clarify the language and establish a tiered system defining and regulating urban agricultural activities based on lot size.

The Planning Commission recommended approval of the proposed amendment at its April 15, 2026, meeting with no conditions.



Mayor Cockrell opened the public hearing and, since there were no speakers, closed the public hearing. Council asked staff questions for clarification regarding the ordinance.

Councilwoman DeDomenico-Payne asked about the role of incidental sales of eggs or other products. Ms. Lauren Kopishke, Planning and Zoning Director, explained that the ordinance does not restrict incidental sales or trading among neighbors, friends, or family members. She stated that urban agriculture is intended to remain subordinate to the primary residential use of the property. Once operations become commercial in nature or are used as a primary source of income, they would fall under agricultural pursuits rather than urban agriculture. Ms. Kopishke noted that residents may trade or give eggs to neighbors, but regular customer traffic and ongoing sales activity would indicate a commercial operation.

Councilman Wood asked what livestock would be allowed under the ordinance. Ms. Kopishke responded that livestock would not be permitted under urban agriculture and would instead fall under agricultural pursuits. She explained that agricultural zoning within Town limits requires a minimum of 10 acres to allow livestock. She also reiterated that slaughtering is not permitted within Town limits.

Ms. Kopishke further explained that roosters would be permitted depending on lot size. Property over five acres may have up to 18 hens and one rooster, with a minimum ratio of 10 hens per rooster, based on recommendations from the Agricultural Extension Agency. Applicants are required to submit management plans detailing habitat space, coop space, and run space to ensure requirements are met based on the breed and type of animal. Discussion also included the inspection process. Ms. Kopishke stated that inspections are conducted annually or on a complaint basis. Properties are flagged in the Town's system, and staff typically contact permit holders approximately one month prior to the annual inspection to schedule a visit. She noted that no permits have been revoked to date and that, when issues arise, property owners are generally given an opportunity to correct violations before further action is taken.

In response to a question regarding the complaint process, Ms. Kopishke stated that residents may submit complaints through the Planning Department page on the Town website, by phone, or by email to Planning and Zoning staff.

Councilman Rappaport asked how many chickens would be allowed based on lot size. Ms. Kopishke responded that properties under one acre may have up to six chickens, properties between one and five acres may have up to 12 chickens, and properties over five acres may have up to 18 chickens.

Mayor Cockrell clarified that, under the current ordinance, roosters are not presently permitted within Town limits.

Vice Mayor Veitenthal moved, seconded by Councilman Sealock, that Council adopt an Ordinance to amend Town Code §175-3 to revise the definitions of "Urban Agriculture" and "Agricultural Pursuits," and to amend the performance standards contained in Town Code §175-110.5 to clarify minimum lot sizes and permitted animals.

**Vote:** Yes – Councilmembers, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal

No – Councilman Rappaport

Absent – None

Abstain – None

**ROLL CALL:**

**An Ordinance to Amend Town Code §158-6 for the Re-adoption by Reference of State Vehicular Laws-** Council held a public hearing regarding an ordinance amendment to Town Code Section 158-6, effective July 1, 2026, pertaining to the re-adoption by reference of the state vehicular laws contained in Title 46.2 of the Code of Virginia, 1950, as amended, and Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, 1950, as amended.

Mayor Cockrell opened the public hearing and, as there were no speakers, closed the public hearing.



Councilman Ingram moved, seconded by Councilman Sealock that Council adopt an ordinance to amend and re-enact Town Code Sections 158-6 for the re-adoption by reference of the state vehicular laws as presented.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
No – None  
Absent –None  
Abstain – None

**ROLL CALL:**

**An Ordinance to Amend Town Code §§134-22.C & 134-31.1.C to Remove the Pilot Fee Agreement Form-** Council held a public hearing regarding the Out-of-Town Water and Sewage Service Agreement (“PILOT Agreement”) is subject to drafting on such terms and conditions for the payment of sewer and water rates and charges and PILOT fees as the Town and such commercial users in the Corridor Area may agree and, therefore, should not be codified within Town Code.

Mayor Cockrell opened the public hearing and, as there were no speakers, closed the public hearing.

Councilman Rappaport moved, seconded by Councilman Wood, that Council adopt an Ordinance to amend Town Code §§134-22.1(C) and 134-31.1(C) by removing the Out-of-Town Water and Sewer Service Agreement (“PILOT Agreement”) and contractual terms from the Town Code, as the PILOT Agreement is subject to revision and should not be codified.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
No – None  
Absent –None  
Abstain – None

**ROLL CALL:**

**PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS**

- **Megan Marrazzo-316 Virginia Avenue** addressed Council regarding the ongoing discussion surrounding the data center ordinance. She stated that the ordinance was originally presented to Council in approximately October and noted that discussions and legal review have taken place since that time. Ms. Marrazzo expressed concern regarding the timing of the matter, referencing the purchase of the former Avtex property and noting that the purchaser is currently in a due diligence period that could conclude at any time. She stated that once an application is submitted to the Planning Department, it would be governed by the regulations currently in effect.

Ms. Marrazzo urged Council to make a decision on the ordinance in the near future, whether by adopting the current draft and revising it later, directing staff to prepare a new draft, or considering an outright ban. She stated that she believed it was important to have regulations in place so residents could be protected and the Town could better understand the future development of the property moving forward.

- **Rachel Doering- 125 West 4th Street** addressed Council requesting consideration of an emergency extension to an encroachment agreement related to the pending sale of her home. She stated that the title company requested the agreement be renewed prior to the scheduled closing on Thursday. Mayor Cockrell advised Ms. Doring that Council does not engage in discussion during public comments but encouraged her to speak with staff following the meeting regarding the appropriate path forward.
- **Matthew Burney- Loudoun County** and representing Breitbart News, addressed Council regarding concerns related to data centers. Mr. Burney referenced a news article discussing a Georgia data center’s water consumption and expressed concerns about the potential impact data centers could have on local water resources and drought conditions. He urged Council to consider banning data centers and stated that opposition to such facilities is supported by residents across differing political viewpoints.



## REPORTS

### Town Manager Report

Mr. Petty reported that the railroad crossing at Manassas Avenue will be closed on June 1 and June 2 while railroad work is completed, resulting in the closure of public access to the Farm during that time. He stated that updates would be posted online as additional information becomes available.

Mr. Petty also announced that a joint liaison meeting between the Town and County would be held on June 4, with the agenda to be released later in the week. He further noted that Town offices would be closed on June 19 in observance of Juneteenth.

Mr. Petty congratulated the participants of the Citizens Academy and stated that the program would return next year. He noted that participants who missed a session would be invited back the following year to ensure they receive the full experience.

Lastly, Mr. Petty thanked Town staff, the Warren County Sheriff's Office, Warren County Fire and Rescue, Warren County Public Schools, the County, and the community for their support during the special visit held on April 30. He commended staff for their efforts in helping make the event successful while continuing their normal day-to-day operations.

### Town Council Reports

- **Councilwoman DeDomenico-Payne** reported that she had a busy month and expressed gratitude to everyone involved in organizing the recent Royal visit, noting she was proud of how the community represented itself during the event.

She attended the Bloomers Luncheon, as well as Skyline High School and Morgan County High School graduation ceremonies, where she praised the students, faculty, and families and emphasized the importance of high school graduation as a major life milestone. Councilwoman De-Domenico-Payne also attended the Northern Shenandoah Valley Regional Commission meeting and the Memorial Day ceremony.

Lastly, she disclosed that she had recently spoken with a developer interested in property within one of the Town's industrial areas. She shared her support for balanced economic development that creates jobs and revenue while preserving the character of the community and minimizing impacts on local resources.

- **Councilman Ingram** echoed comments regarding the recent Royal visit, noting that friends and family from outside the area had reached out after seeing national and international news coverage of the event. He stated that the Town was represented in a very positive light and that it was encouraging to hear such positive feedback.

Councilman Ingram attended the Wine and Craft Festival, which he described as a successful and well-attended event featuring numerous wine and craft vendors. He commended the businesses, Town staff, police department, and Chief Whited for helping ensure the event ran smoothly.

Lastly, he attended the Laurel Ridge Community College graduation ceremony, where he enjoyed seeing students and families celebrate an important milestone and noted it was a very well-organized event.

- **Councilman Rappaport** reported attending several recent community events, including the Lantern Celebration VA250 event, the Royal Block Party celebration, the Wine and Craft Festival, and the C&C 11th Annual Family Fun Day.

He also attended both Skyline High School and Warren County High School graduation ceremonies and praised the strong sense of community and positive energy at both events. Councilman Rappaport specifically recognized



Nathaniel Ramey for his determination in walking across the stage to receive his diploma. Lastly, he shared that Royal Cinemas is reportedly planning a soft opening in June.

- **Councilman Sealock** reported attending the recent Royal visit and noted that while many attendees did not have the opportunity to personally meet the King and Queen, it was still a special event for the community.

He also attended the Warren County High School graduation ceremony, where he not only represented Town Council but also celebrated his grandson's graduation. Councilman Sealock commented on the positive atmosphere and support shown by those in attendance for the graduates.

- **Vice Mayor Veitenthal** reported a busy month of community engagement, including participation in the Town's Royal visit, where she met with state and international representatives and acknowledged staff for their coordination and planning efforts. She noted the event brought positive national attention to Front Royal and credited the Town's charm and community character for the visit.

She also highlighted several volunteer and community service activities, including Rotary participation supporting youth softball scholarships, a clothing drive through the High Kids Foundation, and assisting with a last-minute "Feeding Our Neighbors" meal service, which served approximately 70 individuals through coordinated community donations and volunteers.

Vice Mayor Veitenthal further recognized local graduations, the Battle of Front Royal anniversary, and upcoming community events, and provided comments regarding ongoing discussion surrounding data centers and the related public hearing process.

- **Councilman Wood** commended the Mayor, Council, Town staff, and community organizations for their continued service and involvement throughout the community. He highlighted the collaborative efforts surrounding the recent Royal visit and thanked Town staff, County partners, and Community Development and Tourism Director Lizi Lewis for their work in making the event successful.

Councilman Wood also recognized the work of the Planning and Zoning Department and Planning Commission on all the ordinances presented. He noted his participation in a golf tournament benefiting Cars Changing Lives and congratulated local graduates on reaching an important milestone.

Additionally, Councilman Wood encouraged greater public participation in Town meetings and public hearings, particularly regarding budget discussions and utility rate matters, emphasizing the importance of community involvement in local government decisions.

### Report of the Mayor

Mayor Cockrell reported attending several community events throughout the month, including the Downtown Local one-year anniversary celebration, the Warren County Public Schools retirement dinner, the Warren County Adult Recovery Court graduation, Young Life Committee meetings, local graduations, the Memorial Day ceremony, and a local Scout troop meeting focused on voting, elections, and public service. She also highlighted the Town scholarship program and noted that several former scholarship recipients recently graduated from college programs at James Madison University, Virginia Tech, and George Mason University.

Mayor Cockrell spoke extensively about the April visit of King Charles III and Queen Camilla to Front Royal, describing the experience as both surreal and meaningful for the community. She thanked Town staff, Town Manager Joe Petty, Community Development and Tourism Director Lizi Lewis, Main Street businesses, County partners, law enforcement, and residents for their efforts in making the event successful. She noted that the British delegation selected Front Royal because of its charm,



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hospitality, and sense of community, and shared that representatives from the British Embassy stated the visit was one of the highlights of the Royals' trip to the United States.

Mayor Cockrell also shared that she, Mr. Petty, and Ms. Lewis were invited to the British Embassy following the visit, where they were thanked for their role in coordinating the event. She read portions of a letter from the British Ambassador expressing appreciation to the Town and recognizing the professionalism and hospitality shown by the Front Royal community throughout the planning process and visit.

**CONSENT AGENDA ITEMS**

**FY2025-2026 Write Off for Bad Debt**

Council approved the removal of 5 years or older outstanding accounts receivable (bad debts) totaling \$45,926.66 (146 utility accounts) on the Town's ledger for the remainder of fiscal year 2024-2025 as presented.

**Bid Award - Delivered Ready-Mix Concrete**

Council approved the award of bid to Rockingham Redi-Mix of Harrisonburg for firm-fixed unit pricing on various concrete mixes to support ongoing maintenance and construction projects.

**Water Tank Maintenance Service Program**

Council approved the award of contract to Southern Corrosion, Inc., of Roanoke Rapids, NC, to provide annual inspections, washouts, renovations, and repairs for the Towns four water tanks, in the amount of \$127,722.00.

**Purchase of Replacement Bucket Truck for Department of Energy**

Council approved the purchase of one (1) 2026 Altec AT41M, a 41-foot articulating telescopic aerial device with material handling bucket truck, for the Department of Energy Services, to replace Unit #364, a 2017 Ford F550 Verralift VST40.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
No – None  
Absent – None  
Abstain – None

**ROLL CALL**

**BUSINESS ITEMS**

**Adoption of Annual Appropriation Ordinance (Budget) for Fiscal Year 2026-2027** – Council is requested to adopt the Annual Appropriation Ordinance (Budget) for Fiscal Year 2026-2027 as presented on April 6 and April 13<sup>th</sup> with the Public Hearing held on May 11, 2026.

Vice Mayor Veitenthal moved, seconded by Councilwoman De-Domenico Payne that Council approve and adopt the Annual Appropriation Ordinance (Budget) for Fiscal Year July 1, 2026, to June 30, 2027, as presented.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
No – None  
Absent – None  
Abstain – None

**ROLL CALL**

**CLOSED MEETING**

Councilman Ingram moved, seconded by Councilman Wood, that Town Council convene a closed meeting pursuant to §§ 2.2-3711 and 2.2-3712 of the Code of Virginia for the following purposes:

- 1) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically,



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the Amendment to the Voluntary Settlement Agreement Between the County of Warren, Virginia and the Town of Front Royal, Virginia, Regarding the Compromise for PILOT Meals and Lodging Taxes, and

- 2) pursuant to §2.2-3711(A)(3) of the Code of Virginia, discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, more specifically, the sale of vacated 6,211 square foot portion of the unimproved Lowe Lane between Braxton Road and Lot 27A.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
 No – None  
 Absent – None  
 Abstain – None                      **ROLL CALL**

**CERTIFICATION OF CLOSED MEETING**

Vice Mayor Veitenthal moved, seconded by Councilman Sealock, that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
 No – None  
 Absent – None  
 Abstain – None                      **ROLL CALL**

**ACTION AFTER CERTIFICATION OF CLOSED MEETING**

Vice Mayor Veitenthal moved, seconded by Councilwoman De-Domenico Payne, that Council, in order to extend time to June 30, 2026 for the County to cure default on Amendment to Voluntary Settlement Agreement Between the County of Warren, Virginia, and the Town of Front Royal, Virginia, Regarding a Compromise of the Collection of PILOT Meals and Lodging Tax Fees, dated April 11, 2018, and to appropriate funding for future PILOT meals and lodging tax revenue sharing, approve the substitute Amendment to Voluntary Settlement Agreement Between the County of Warren, Virginia, and the Town of Front Royal, Virginia, Regarding a Compromise of the Collection of PILOT Meals and Lodging Tax Fees, dated May 26, 2026, as presented, with the Mayor to execute the Agreement on behalf of the Town, and directing the Clerk of Council to forward an executed copy of the Agreement to the Clerk of the Warren County Board of Supervisors for approval.

**Vote:** Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Vice Mayor Veitenthal  
 No – None  
 Absent – None  
 Abstain – None                      **ROLL CALL**

The meeting adjourned at approximately 9:42pm

Approved by Town Council

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Roll Call by Deputy Clerk of Council

PRESENT: Mayor Lori A. Cockrell  
Vice Mayor Amber F. Veitenthal  
Councilwoman Melissa DeDomenico-Payne  
Councilman Joshua L. Ingram  
Councilman H. Bruce Rappaport- absent  
Councilman R. Wayne Sealock- absent  
Councilman Glenn E. Wood

OTHERS PRESENT: Town Manager Joseph W. Petty  
Town Attorney George M. Sonnett, Jr.  
Deputy Clerk of Council Hillary Wilfong  
Various members of the staff and public

**ACTION ITEM**

Resolution for new Encroachment License for 125 W. 4th Street- Council is requested to approve a Resolution for a new encroachment license for a portion of the front porch encroaching into W. 4th Street at 125 W. 4th Street, as presented. Mr. Petty explained that Town Council previously approved a five-year encroachment license for Martin and Rachel McMahan in 2014 and later approved an amendment in 2019 for James S. Bean. The amendment expired after five years, requiring a new license to be approved for the current property owners.

Mr. Petty provided a brief history of the property and noted that the encroachment ranges from approximately one-tenth of a foot to three-tenths of a foot into the right-of-way. He stated that the house was constructed in 1903 and that assessment records, including a photograph of the home, were included in Council's packet.

Mr. Petty explained that the matter involves balancing the Town Charter, which directs Council to eliminate encroachments, with state law, which authorizes localities to grant permission for encroachments. He noted that the proposed license grants permission for the encroachment, is revocable at the Town's discretion, and would otherwise remain in effect for ten years. He further advised that the license has been drafted in the names of the new property owners and will be provided at closing.

Vice Mayor Veitenthal moved, seconded by Councilman Wood, that Council authorize an encroachment into the Town's W. 4th Street right-of-way, in favor of the property owners of 125 W. 4th Street, as described in and in accordance with the Encroachment License, as presented, with the Town Manager to execute the Encroachment License on behalf of the Town.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Wood, Veitenthal  
No – N/A  
Absent – Councilmembers Rappaport and Sealock  
Abstain – N/A Motion carried by roll call vote.

**NEW BUSINESS**



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](http://www.frontroyalva.com) for a limited time.

Hourly Wood Grinding Service Contract– Michelle Campbell, Purchasing Manager, presented a request for Council approval of the award of a one-year wood grinding service contract for the Department of Public Works at the Manassas Avenue Disposal Site to Green Waste Recyclers, LLC, of Front Royal, Virginia. The contract includes an option to renew for four (4) additional one-year terms.

Ms. Campbell explained that the procurement method utilized was cooperative contracting in accordance with the Virginia Public Procurement Act, using Fauquier County Contract #IFB 22-24SBC, which was awarded to Green Waste Recyclers, LLC. Staff obtained a quote from Green Waste Recyclers, LLC in the amount of \$725 per hour, plus a one-time mobilization fee of \$750. The hourly rate includes the operator, equipment, and fuel.

Councilman Wood inquired why the Town utilized a cooperative contract rather than issuing its own Invitation for Bids. Ms. Campbell explained that the Town had previously solicited bids for this service but received limited responses. She further noted that the Town has utilized Green Waste Recyclers, LLC in prior years and that the proposed contract provides the opportunity for a multi-year agreement through the renewal options.

Council agreed to add this to the Monday, June 22<sup>nd</sup> Consent Agenda

Downtown Parking Study- Michelle Campbell, Purchasing Manager, presented a request for Council approval to award a task order to Timmons Group, Inc. in the amount of \$50,000 to complete a Downtown Parking Study. Ms. Campbell explained that the study will provide the Town with a comprehensive assessment of existing parking conditions, utilization trends, and potential parking management strategies within the study area. The project is intended to support future planning efforts and provide data-driven recommendations regarding parking availability, operations, and the feasibility of paid parking implementation.

Mayor Cockrell inquired whether a parking study had previously been completed. Mr. Petty explained that a parking study was conducted in 2019 by the Northern Shenandoah Valley Regional Commission in conjunction with the Town's Community Development Block Grant (CDBG) project. He noted that the 2019 study was itself an update of an earlier parking assessment completed by the Commission.

Councilwoman De-Dominico Payne questioned the need for a new study, noting that funding had already been budgeted and asked whether the Town anticipated making any significant changes based on the findings. She referenced previous discussions regarding parking garage and asked whether there had been an increase in parking-related complaints that would justify conducting the study at this time.

Mr. Petty explained that the study is part of a broader transportation planning effort and complements the ongoing zoning ordinance rewrite. He stated that the study will help inform future development decisions and parking standards as the Town continues to experience growth and redevelopment activity downtown. Mr. Petty noted that Main Street has experienced increased activity since the 2019 study and that current and future development projects may have impacts on parking demand. He further explained that the study will evaluate parking availability, utilization, enforcement of existing time limits, and various parking management strategies. While paid parking will be evaluated as part of the study, implementation is not currently being proposed.

Additional discussion occurred regarding parking garages and the role of privately owned parking facilities within the downtown area.



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Council agreed to add this to the Monday, June 22<sup>nd</sup> Consent Agenda.

An Ordinance Amendment to Repeal Town Code Chapter 148, Subdivision and Land Development Ordinance- Ms. Kopishke, Planning and Zoning Director, presented an ordinance amendment to repeal the existing Subdivision and Land Development Ordinance Town Code Chapter 148 and adopt a revised ordinance. She explained that in July 2021, the Town entered into a contract with Summit Engineering to prepare a new Comprehensive Plan, Zoning Ordinance, and updated Subdivision and Land Development Ordinance. The proposed ordinance represents the final phase of that effort.

Ms. Kopishke stated that the primary purpose of the update was to bring the Town's ordinance into compliance with changes in State Code since the ordinance was last adopted. Summit Engineering conducted a comprehensive State Code compliance review and identified revisions needed to address statutory changes and clarify ordinance language. Key revisions include updates to administrative review procedures, amendments to waiver provisions for small subdivisions, revisions to steep slope regulations, updates to stormwater and environmental references, and changes that extend existing Main Street parking exemptions to all properties within the Historic District. The ordinance also updates agency references and administrative provisions to reflect current State requirements and practices.

Ms. Kopishke explained that several amendments clarify administrative responsibilities, including revisions related to the designated agent and administrative approvals that are now authorized by State Code. She noted that many of the proposed changes are housekeeping updates intended to improve consistency, reduce ambiguity, and ensure that future ordinance administration remains aligned with State and agency requirements. Council members discussed the use of ordinance language and examples from other Virginia localities. Ms. Kopishke explained that provisions from communities with current, professionally reviewed ordinances were evaluated and adapted where appropriate, particularly for technical topics such as steep slopes and karst terrain. Staff emphasized that the revisions are intended to provide clearer standards and more consistent administration of the ordinance.

Additional discussion occurred regarding remnant parcels, property boundary disputes, Planning Commission and staff review responsibilities, and the development review process. Ms. Kopishke explained that ownership and boundary issues are typically resolved through surveys, legal review, and court action when necessary. She further clarified that while certain administrative determinations may be handled by staff in accordance with State Code and ordinance standards, the Planning Commission will continue to perform its statutory role in reviewing and acting upon applicable land use matters. Discussion also addressed how development proposals may be modified over time, provided they remain consistent with zoning requirements and other applicable regulations.

Council agreed to advertise this and hold a public hearing on Monday, June 22<sup>nd</sup>.

Appointment of Non-Elected Representative to the Northern Shenandoah Valley Regional Commission (NSVRC)- Council discussed re-appointing Director of Planning Lauren Kopishke to the Northern Shenandoah Valley Regional Commission (NSVRC) to an unexpired term ending June 30, 2026. Ms. Kopishke advised that she would like to be



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considered for reappointment. If approved, her term would expire June 30, 2029, and be placed on the consent agenda for June 22<sup>nd</sup>. Terms for non-elected representative are three years.

Mayor Cockrell confirmed that Ms. Kopishke wished to be considered for re-appointment to the NSVRC, and Ms. Kopishke affirmed her interest.

Council agreed to add this to the Monday, June 22<sup>nd</sup> Consent Agenda.

**CLOSED MEETING**

Councilman Wood moved, seconded by Councilman Ingram, that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, more specifically, the Clerk of Council

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Wood, Veitenthal

No – N/A

Absent – Councilmembers Rappaport and Sealock

Abstain – N/A Motion carried by roll call vote.

Councilwoman DeDomenico-Payne moved, seconded by Vice Mayor Veitenthal that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Wood, Veitenthal

No – N/A

Absent – Councilmembers Rappaport and Sealock

Abstain – N/A Motion carried by roll call vote.

Meeting adjourned at approximately 8:16PM

Approved by Council: \_\_\_\_\_



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Roll Call at 6:02 PM by Mayor Lori Cockrell

PRESENT:

Mayor Lori A. Cockrell  
Vice Mayor Amber F. Veitenthal  
Councilwoman Melissa DeDomenico-Payne  
Councilman Joshua L. Ingram  
Councilman H. Bruce Rappaport  
Councilman R. Wayne Sealock- absent  
Councilman Glenn E. Wood

OTHERS PRESENT:

Town Manager Joseph W. Petty  
Town Attorney George M. Sonnett, Jr.  
Warren County Board of Supervisors  
Various members of Town & County staff and public

Vice Mayor Veitenthal moved, seconded by Councilman Wood, that Council appoint Joe Petty as Clerk pro tempore for tonight's Special Meeting June 4, 2026.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Wood, Veitenthal

No – N/A

Absent – Councilmember Sealock

Abstain – N/A

Motion carried by roll call vote.

### Joint Tow Board

Town Manager, Joe Petty, provided an overview of the questions presented at the previous liaison meeting on the process to appoint board members. The framework defines the timeline in presenting options to the Board of Supervisors and Town Council for joint appointments before August 31, 2026.

Mayor Lori Cockrell, raised an additional question that was asked at the liaison meeting regarding a cap of tow providers. After going around the table, no action was taken to limit the amount of tow providers.

### Economic Development

Warren County Director of Economic Development, Patrick Barker, presented his draft six month economic development plan for review. His plan address competitive analysis, assessments, marketing, business retention, stakeholder engagement, website updates, workforce development, and small businesses.

Councilman Wood asked about how Mr. Barker will interact with the existing EDA's. In response, he will coordinate with them as key stakeholders for economic development in our community. Given the EDA's Va. Code authority, they can provide additional benefits for any possible future opportunities.

Mr. Barker also described working with private property owners for future development opportunities, though he will not be brokering deals. He will be working closely with our colleagues at the Virginia Economic Development Partnership (VEDP) and doing targeted analysis for specific developments.

Vice Mayor Veitenthal, encouraged that Mr. Barker coordinate with the Town to meet with their current consultants from Retail Strategies to enhance that initiative.



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Councilman Ingram asked how there can be potential collaboration with economic development and joint transportation committee. Mr. Barker plan to engage with as many stakeholders as possible during these six month to develop the work plan.

### Tourism

Interim County Administrator, Dr. David Martin, began the tourism item with a video from the previous liaison meeting that covered tourism and next steps to work together. Following the short video clip, Dr. Martin discussed the meeting held between Town and County staff after liaison and Deputy County Administrator, Jane Meadows, provided a brief overview of the County's recent achievements, budget, and ongoing efforts of their joint tourism group. The County had also met with Kelli Weaver form the Virgina Tourism Corporation regarding strategic planning efforts for County tourism.

Councilmembers and Supervisors then discussed various positions regarding the matter.

Mayor Lori Cockrell expressed tourism has been an ongoing discussion; however, the visitors center never stopped promoting Front Royal – Warren County. Vice Mayor Veitenthal, mentioned the numerous time "Front Royal" is listed on state highway signage, and expressed being responsible with tourism dollars. Supervisor Tony Carter, discussed early concepts regarding kiosks and cost sharing between the Town and County for tourism and economic development. Mr. Carter highlighted a document provided at the meeting that details the revenue collected by the County dedicated to tourism.

The discussion continued regarding the role of a tourism director or manager, their possible duties, collaboration, and office space.

Supervisor John Stanmeyer highlighted the many tourism assets in our community that we can support and enhance through further promotion. Supervisor Richard Jamieson expressed the importance of collaboration whether it is a director or manager, and creating an effective marketing program. Councilmember Glenn Wood mentioned his time attend the tourism group and past experience. He asked a question to the group, what do you want that we are not giving you, regarding the Town's continued promotion of Front Royal – Warren County.

Following the discussion, Supervisor Carter, expressed interest in the Town drafting new memorandum of understanding to share with the County that could provide a framework for collaboration.

Meeting adjourned at approximately 9:00 PM

Approved by Council: \_\_\_\_\_



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Roll Call by Deputy Clerk of Council

PRESENT: Mayor Lori A. Cockrell  
Vice Mayor Amber F. Veitenthal  
Councilwoman Melissa DeDomenico-Payne  
Councilman Joshua L. Ingram  
Councilman H. Bruce Rappaport  
Councilman R. Wayne Sealock  
Councilman Glenn E. Wood

OTHERS PRESENT: Town Manager Joseph W. Petty  
Town Attorney George M. Sonnett, Jr.  
Deputy Clerk of Council Hillary Wilfong  
Various members of the staff and public

Mayor Cockrell noted that there will be additional items added to the Closed Meeting. No one opposed.

**NEW BUSINESS**

Amendment to the Freedom of Information Act (FOIA) Policy – Town Manager Joe Petty presented a proposed amendment to the Town's FOIA Policy. He explained that the current policy includes the name and contact information of FOIA Officer Tina Presley, who will be retiring at the end of the month. Upon review, staff determined that the names and contact information of designated FOIA officers should be removed from the policy, as this information is already maintained on the Town's website in accordance with state law. Mr. Petty noted that removing the contact information from the policy will eliminate the need for future policy amendments when personnel changes occur. Town Attorney Mr. Sonnet further recommended including a reference in the policy directing the public to the appropriate state and Town websites where current FOIA officer information is maintained.

Council agreed to add this to the Monday, June 22<sup>nd</sup> Consent Agenda

Deed of Easement and Right-of-Way from Robert & Vivian Lake to the Town of Front Royal for Continued Access serving Tax Map No. 1241-1 and locations of the Guard Hill Water Tank- Mr. Petty explained that the Town currently utilizes an existing 25-foot-wide easement serving the Guard Hill Water Tank, which was granted by deeds recorded in Deed Book 292, Page 643, and Deed Book 297, Page 415. The Lake family has requested to relocate a portion of the existing easement to accommodate a revised roadway alignment and provide an alternate access route.

Mr. Petty advised that the Lakes will be responsible for all costs associated with constructing the new roadway within the relocated easement, including ensuring compliance with Virginia Department of Transportation (VDOT) standards and future maintenance obligations. He noted that the Lake family has worked cooperatively with the Town by providing the necessary deed documents and that the easement relocation is intended to meet VDOT requirements for a shared-use entrance.



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Mr. Petty further reported that the Town's Public Works Department supports the proposed relocation and that VDOT has approved the new easement location. A fire hydrant within the project area required relocation, which has been completed without issue.

Council agreed to add this to the Monday, June 22<sup>nd</sup> Consent Agenda

Deed of Easement from Baugh Dr. LLC to the Town for a 20' Public Waterline Easement Serving Lot 6, Stephens Industrial Park Tax Map No. 56-6- Mr. Petty presented a Deed of Easement from Baugh Dr. LLC conveying a 20-foot permanent public waterline easement and right-of-way across a portion of Lot 6 in Stephens Industrial Park, identified as Tax Map No. 5C-6, located in the North River District of Warren County. He explained that the property consists of approximately 23 acres on Baugh Drive and that the easement is needed to install water infrastructure, including vaults, necessary to serve the development.

Mr. Petty noted that the Town does not own the roads within the industrial park and therefore relies on utility easements within the corridor rather than public right-of-way, which is standard practice. The associated plats show two separate vaults that will serve two office buildings currently under construction by Baugh Dr. LLC. Upon completion of the waterline facilities and acceptance into the Town's water system, the easement will provide the Town with the right to install, operate, maintain, inspect, repair, and replace public water infrastructure serving the property.

Council agreed to add this to the Monday, June 22<sup>nd</sup> Consent Agenda

Amendment to Town Code Chapter 72-Special Events held on Town Streets and Public Property- Mr. Petty reviewed the proposed amendments to Chapter 72, noting that the item was previously discussed during a public hearing in March and was brought back for further Council consideration. He explained that staff analyzed the costs associated with special events and found that, in 2025, approximately 38 events generated \$5,700 in fees under the current fee structure, while the estimated cost to the Town for staffing and support services totaled approximately \$36,000.

Mr. Petty stated that the proposed fee schedule would increase annual revenue to an estimated \$14,000; however, the Town would still absorb a significant portion of event-related costs. He emphasized that the proposed changes are intended not only to offset expenses but also to create greater accountability by aligning fees with the level of Town resources required for each event, including police, public works, and administrative support. He further explained that the amendments would provide a framework for evaluating event impacts, such as street closures, staffing needs, traffic control, sanitation requirements, and public safety considerations. Revenue generated through the fee structure could also be used to improve event-related infrastructure, including safety barricades, traffic control devices, and enhanced signage and notification systems.

Mr. Petty also discussed proposed changes to the application and scheduling process, noting the need for clearer deadlines and expectations for event organizers. Staff intends to establish a more structured review calendar and provide applicants with a timeline to ensure adequate planning, coordination, staffing, and promotion of events. He concluded by stating that the goal is not to fully recover all event-related costs, but rather to establish a fair and transparent process that balances community events with the Town's operational and financial responsibilities.



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Council discussed the proposed fee structure and its impact on community-oriented events. Several councilmembers expressed a desire to ensure that events benefiting Town residents, such as community gatherings, concerts, and family-focused activities, are not unfairly burdened by increased fees. Questions were raised regarding how the Town should distinguish between community events and larger festivals or events that generate tourism and economic activity.

Council also discussed the costs incurred by the Town to support special events, including electricity usage, refuse collection, traffic control, public safety staffing, street closures, and other operational impacts. Councilmembers noted that many events utilize Town resources and infrastructure and that some level of cost recovery is appropriate to avoid placing the financial burden on taxpayers who may not participate in those events.

Council will discuss this farther in July.

Commitment for VDOT STARS Study- Mr. Petty presented a request for Council support regarding the Town's participation in the Virginia Department of Transportation (VDOT) Strategically Targeted Affordable Roadway Solutions (STARS) Program. He explained that the Town has been working with VDOT to pursue a STARS study and that VDOT is seeking funding approval from its Central Office. As part of the application process, the Town must provide a commitment to pursue funding opportunities for one or more recommendations that may result from the study.

Mr. Petty outlined the preliminary study area, which would generally extend from the South Fork Bridge along Commerce Avenue and include several intersections identified for potential improvements, including Shenandoah Avenue and 14th Street, North Royal Avenue Extended, Sixth Street and Commerce Avenue, Royal Avenue and Commerce Avenue, Main Street and Commerce Avenue, and South Street and Commerce Avenue. He noted that VDOT had independently identified several of these locations due to traffic volumes and recent accident history, including concerns at Commerce Avenue and Stonewall Drive. Additional discussion has included the Water Street corridor because of signal coordination considerations.

Mr. Petty emphasized that the study would be a collaborative effort between the Town and VDOT and would include public engagement opportunities. He noted that completion of the study would not guarantee project funding but would position the Town to pursue future funding opportunities through programs such as Smart Scale and other transportation grants. He further stated that traffic growth, development activity, and recent crashes along the corridor demonstrate the need to evaluate potential safety and operational improvements.

Council discussed the benefits of the STARS Program and acknowledged that participation could identify both short-term and long-term transportation improvements. Discussion included the possibility that future grant opportunities could require local matching funds and the need to evaluate funding commitments as projects advance. Mr. Petty noted that some intersection improvements currently under development through VDOT, including pedestrian safety enhancements, could serve as examples of the types of recommendations that may result from the study. Council generally expressed support for pursuing the study.



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**CLOSED MEETING**

Vice Mayor Veitenthal moved, seconded by Councilman Sealock, that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: 1) Pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, more specifically, 15 North Royal Avenue; and, 2) Pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, more specifically, the Clerk of Council; and, 3) Pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, a) the Amendment to the Voluntary Settlement Agreement Between the County of Warren, Virginia and the Town of Front Royal, Virginia, Regarding the Compromise for PILOT Meals and Lodging Taxes, entered into April 11, 2018; and, b) proposed memorandum of understanding for joint tourism with the County of Warren.

Vote: Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Veitenthal  
No – N/A  
Absent – N/A  
Abstain – N/A                      Motion carried by roll call vote.

Councilman Rappaport moved, seconded by Councilman Wood, that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Councilmembers Rappaport, DeDomenico-Payne, Ingram, Wood, Sealock, Veitenthal  
No – N/A  
Absent – N/A  
Abstain – N/A                      Motion carried by roll call vote.

Meeting adjourned at approximately 9:20 PM

Approved by Council: \_\_\_\_\_



## PROCLAMATION EMPLOYEE APPRECIATION WEEK July 5-11, 2026



**WHEREAS**, Town employees are professionals who provide quality public service to the Town of Front Royal residents, customers and visitors seven days a week, 24 hours a day, in all types of weather; sometimes working outside their normal job duties to assist during an emergency and/or during unforeseen circumstances; and,

**WHEREAS**, during those times of working after hours, employees are taken away from their families for long periods of time which reflects their dedication and accountability to the people in their community during times of safety and inconvenience; and,

**WHEREAS**, Town employees assist in turning chaos into order and confusion into clarity for all those residing in and visiting the Town of Front Royal; and,

**WHEREAS**, the Town of Front Royal has approximately 185 full and part-time employees recognized in the departments of:

- Community Development/Tourism
- Energy Services
- Finance/Purchasing
- Fleet Management
- Human Resources & Risk Management
- Information Technology
- Planning & Zoning
- Public Safety
- Public Works
  - o Building/Grounds
  - o Horticulture
  - o Solid Waste
  - o Street Maintenance
  - o Water/Sewer Maintenance
  - o Wastewater Treatment Plant
  - o Water Treatment Plant
- Town Attorney
- Town Clerk of Council
- Town Manager

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Town Council of the Town of Front Royal, Virginia hereby express deep and sincere gratitude to all the employees of the Town of Front Royal for their ultimate sacrifices and vital contributions to all our citizens and that July 5-11, 2026 be proclaimed as "*Employee Appreciation Week*" for all the employees of the Town of Front Royal.

APPROVED:

\_\_\_\_\_  
Lori A. Cockrell, Mayor

ATTEST:

\_\_\_\_\_  
Hillary Wilfong, Deputy Clerk of Council

*This proclamation was proclaimed at the Front Royal Town Council Meeting on June 22, 2026*



## COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: June 22, 2026

Item# 7A

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**Agenda Item:** PUBLIC HEARING: Sale of Publicly Held Real Property, to wit, 6,211 square foot portion of the unimproved street Lowe Lane between Lot 27A and Braxton Road.

**Summary:** Pursuant to §15.2-1800, Sale of Publicly Held Real Property, to wit, 6,211 square foot portion of the unimproved street Lowe Lane between Lot 27A and Braxton Road, previously conditionally vacated by ordinance, to the abutting property owners, Theodore Kane for the amount of \$3,375.85, and Paul Rush for the amount of \$5,395.42.

**Budget/Funding:** 1000-3410202 General Fund Revenue - Sale of Town Real Estate

**Meetings:** February 2, February 23, March 23 and May 26 , 2026

**Proposed Motions:**

- 1) I move that Council approve the sale of the 6,211-square-foot portion of the unimproved Lowe Lane right-of-way to the abutting property owners, Theodore Kane for the amount of \$3,375.85, and to Paul Rush for the amount of \$5,395.42.
- 2) I move that Town Council deny the proposed sale of the 6,211-square-foot portion of the unimproved Lowe Lane right-of-way to the abutting property owners.

**TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA**

**ORDINANCE APPROVING THE CLOSURE AND VACATION OF  
APPROXIMATELY 6,211 SQUARE FEET OF PUBLIC RIGHTS-OF-WAY  
IN AN UNIMPROVED PORTION OF LOWE LANE LOCATED BETWEEN  
BRAXTON ROAD AND LOT 27A FAIRVIEW HTS (TAX MAP 20A9-4-27A)**

**WHEREAS**, pursuant to Virginia Code §§15.2-2006 and 15.2-2008, abutting property owner Rush, Paul and Sheila (“Applicant”) having applied for the vacation and sale of approximately 6,211 square feet of public rights-of-way in an unimproved portion of Lowe Lane located between Braxton Road and an unimproved parcel Lot 27A Fairview Heights (Tax Map 20A9-4-27A), all as shown as “Lowe Lane” and described on plat of survey entitled “Plat Showing Proposed Street Vacation a Portion of Lowe Lane Braxrton Heights Subdivision to be Attached to Lot 27B, of the Resubdivision of Lot 27, Fairview Heights Subd.” prepared by Darryl G. Merchant, Consulting Land Surveyor, dated December 15, 2025, or as otherwise determined from a search of the public records (“Rights-of-Way”), said plat of survey or such other public records being attached hereto and incorporated herein by reference; and,

**WHEREAS**, following notice to all affected landowners and a duly advertised public hearing held on February 23, 2026, upon the evidence (including any report issued by a duly appointed committee of viewers that no public inconvenience would result from the discontinuance of the rights-of-way), it being the judgment of Town Council that said rights-of-way should be discontinued, closed and vacated subject to certain conditions being satisfied within one hundred twenty (120) days of the adoption of this ordinance approving of the vacation; and,

**WHEREAS**, Virginia Code §§15.2-1800 authorizes towns to dispose of and sell their real property following a duly advertised public hearing.

**NOW THEREFORE, BE IT HEREBY ORDAINED AND ENACTED** by the Town Council of the Town of Front Royal, Virginia (“Council”), that the public rights-of-way in the Rights-of-Way are discontinued, closed and vacated subject to the following stated conditions being satisfied within one hundred twenty (120) days of the adoption of this Ordinance, and that if said conditions are not satisfied within that time this Ordinance shall be null and void:

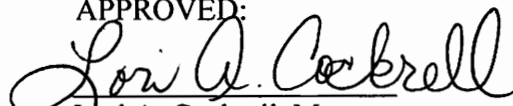
1. Following a second duly advertised public hearing, Council's approval of the sale and conveyance of all of the Rights-of-Way to the Applicant and/or any other abutting property owner, by quit claim deed of an area as shown on a plat of survey, less and except a 20' wide storm drainage easement and a 20' wide sanitary sewer easement, all as shown on the aforementioned plat of survey to be attached as an exhibit to the deed, at a sale price negotiated by the Town Manager with abutting property owner(s), and,

2. Payment of the approved purchase price by abutting owner(s), along with payment of the statutorily prescribed costs and fees of publication (and appointment of viewers, if any), with the Town Manager and Town Attorney to approve and execute all documents to be prepared by Applicant and/or other abutting property owner(s) necessary to effectuate the sale and conveyance of Rights-of-Way by quit claim deed, reserving in the Town of Front Royal a 20' wide storm drainage easement and a 20' wide sanitary sewer easement, and,

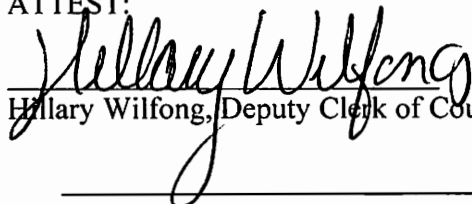
3. The Applicant and/or other abutting property owner shall re-subdivide, vacating internal boundary lines as necessary to consolidate abutting portions of Rights-of-Way into approved lot(s).

The Clerk of Council, upon the satisfaction of all conditions of this Ordinance, shall cause a certified copy of this Ordinance to be delivered to the Clerk of the Circuit Court for filing and recording in the land records, indexed with "Town of Front Royal" as Grantor and with Applicant, and/or other abutting property owner acquiring an interest in Rights-of-Way, indexed as Grantee, necessary to further effectuate this Ordinance.

APPROVED:

  
Lori A. Cockrell, Mayor

ATTEST:

  
Hillary Wilfong, Deputy Clerk of Council

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Vote on following page

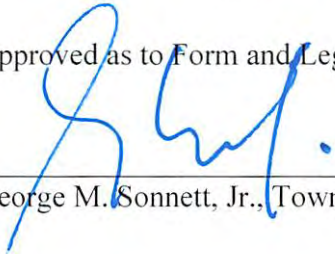
This Ordinance was adopted at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on March 23, 2026 upon the following recorded vote:

R. Wayne Sealock	<input type="checkbox"/> Yes <input type="checkbox"/> No	H. Bruce Rappaort	<input type="checkbox"/> Yes <input type="checkbox"/> No
Joshua L. Ingram	<input type="checkbox"/> Yes <input type="checkbox"/> No	Melissa DeDomenico-Payne	<input type="checkbox"/> Yes <input type="checkbox"/> No
Amber F. Veitenthal	<input type="checkbox"/> Yes <input type="checkbox"/> No	Glenn E. Wood	<input type="checkbox"/> Yes <input type="checkbox"/> No

A public hearing on the above was held on March 23 having been advertised in the Northern Virginia Daily on February 9 and February 13, 2026.

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Approved as to Form and Legality:

  
 \_\_\_\_\_  
 George M. Sonnett, Jr., Town Attorney

Dated: March 23, 2026



## COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: June 22, 2026

Item# 7B

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**Agenda Item:** PUBLIC HEARING: An Ordinance Amendment to repeal the current Subdivision and Land Development Ordinance, Town Code Chapter 148, in its entirety and adopt and enact a new Subdivision and Land Development Ordinance.

**Summary:** In July 2021, the Town entered into a contract with Summit Engineering to prepare a new Comprehensive Plan, Zoning Ordinance, and updated Subdivision and Land Development Ordinance.

The proposed Subdivision and Land Development Ordinance updates the Town's existing regulations and brings the chapter into compliance with current Virginia State Code requirements. Major revisions include amendments to, and in some cases removal of, administrative waiver processes for small subdivisions; updates to regulations regarding steep slopes; and the extension of parking exemptions currently available on Main Street to all properties located within the Historic District.

The Planning Commission held a public hearing on May 20, 2026, and recommended approval of the proposed ordinance. Town Council reviewed the proposed ordinance during its June 1, 2026, Work Session and directed staff to schedule a public hearing for June 22, 2026.

**Budget/Funding:** N/A

**Meetings:** Work Session, June 1, 2026

**Proposed Motions:**

- 1) I move that Council adopt the proposed Subdivision and Land Development Ordinance, repealing and readopting Chapter 148 of the Town Code, as presented, with the exception of Section 148-1100.C.
- 2) I move that Council deny adoption of the proposed Subdivision and Land Development Ordinance and retain the existing provisions of Chapter 148 of the Town Code, as presented.

**AN ORDINANCE AMENDMENT TO REPEAL THE CURRENT  
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, TOWN CODE  
CHAPTER 148, IN ITS ENTIRETY AND ADOPT A NEW SUBDIVISION  
AND LAND DEVELOPMENT ORDINANCE. THIS COMPREHENSIVE  
UPDATE IS INTENDED TO MODERNIZE STANDARDS CONTAINED  
WITHIN AND BRING THE LANGUAGE INTO COMPLIANCE WITH  
STATE CODE.**

**Chapter 148  
SUBDIVISION AND LAND DEVELOPMENT<sup>1</sup>  
ARTICLE 1 TITLE, PURPOSE AND APPLICABILITY**

**148-100 TITLE**

This Chapter is known and may be cited as the "Subdivision and Land Development Ordinance of the Town of Front Royal, Virginia" or "Subdivision and Land Development".

**148-110 PURPOSE**

- A. The purpose of this Chapter is to establish certain subdivision and land development standards and procedures for Front Royal, Virginia, as required by the Code of Virginia, 1950, as amended.
- B. These Articles are intended to assure the orderly subdivision and development of land, the beneficial growth of the community, and to promote the public health, safety, convenience, comfort and general welfare. These standards and procedures govern the process of change that occurs when land is subdivided or becomes more urban in character as a result of residential, business or industrial development. The Subdivision and Land Development Ordinance is also intended to provide assurance to purchasers of lots that they are buying a commodity suitable for development and use; and provide for the construction of safe, adequate and more efficient and effective public facilities.

**148-120 AUTHORITY**

The Front Royal Town Council, following public hearing and in consideration of the recommendations of the Front Royal Planning Commission, enacts this legislation in accordance with the provisions of Code of Virginia, Title 15.2, Ch. 22, as amended and in accordance with its authority granted under the Front Royal Town Charter and the Code of Virginia to ensure the orderly subdivision and development of land.

**148-130 ADMINISTRATION**

The Director of Planning and Zoning, hereafter referred to in this Ordinance as the "Director," shall administer this Ordinance, or shall designate an agent as administrator of this ordinance. The Director may establish such administrative rules and procedures as deemed necessary, under the general direction and guidance of Council.

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<sup>1</sup>Editor's note(s)—Amended 6-8-15.

## **148-140 SEVERABILITY AND VALIDITY**

Should any Article, section or part of this Chapter be declared by any court of lawful jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the Chapter as a whole or any part thereof other than the part held invalid or unconstitutional.

## **148-150 APPLICABILITY; WHEN EFFECTIVE DATE**

- A. The provisions of this Chapter shall be applicable to all land located within the corporate limits of the Town of Front Royal, Virginia. No building or zoning permit shall be issued for any development unless the requirements of this Chapter are met.
- B. This Chapter governs the following types of development:
  - 1. All divisions of land into parcels or adjustments to the boundaries of parcels within the Town, both residential and nonresidential, proposed after the effective date.
  - 2. Any modification or alteration to the design of an existing subdivision.
  - 3. Any development or re-development in which vehicle parking spaces are to be used by more than one (1) establishment.
  - 4. Any use, change of use, development or re-development in a residential, commercial, industrial district, or mixed-use district.
  - 5. Any nonresidential development or re-development in a residential district or a change of use from one category to another.
  - 6. Any use, development or re-development requiring special use permit approval under Chapter 175, of the Town Code.
  - 7. All public and/or semi-public buildings and other uses involving a structure required to be reviewed by the Planning Commission under Code of Virginia § 15.2-2232, as amended.
  - 8. Any revision or amendment to an existing, approved site plan, plan and profile or final subdivision plat.
- C. This Chapter was duly considered, following required public hearings, was adopted by the Town Council, and became effective on June 8, 2015. A certified copy of the Chapter, as may be amended from time to time, shall be filed in the office of the Town Manager.
- D. No lot of a subdivision may be sold or transferred before a plat has been approved and recorded, in accord with this ordinance or with the subdivision ordinance in force at the time the lot was subdivided. Nothing herein may be construed as preventing the recordation of an instrument by which land is transferred or title passed as between the parties to the instrument.

## **148-160 INTERPRETATION; WORD USAGE**

- A. In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements stated herein.
- B. For the purpose of this Chapter, certain words and terms used herein shall be interpreted or defined as follows, and in accord with the definitions contained in Article 9 of this Chapter. Words used in the present tense include the future, words importing the masculine gender include the feminine and neuter, words used in the singular form include the plural and the plural the singular, unless the natural construction of the word indicates otherwise; the word "lot" includes the word "parcel"; the word "shall" is mandatory; the word "approve" shall be considered to be followed by the words "or disapprove"; any reference to this Chapter includes all ordinances amending or supplementing the same.

- C. This Chapter shall be used and interpreted in conjunction with the provisions of Chapter 175, Zoning, and other applicable ordinances of the Town of Front Royal.
- D. In the event a term is not defined in this Chapter, the Director shall refer to other Chapters of the Front Royal Code for guidance and to Code of Virginia § 15.2-2201, as amended. If ambiguity remains, the Director shall then rely on the conventional, recognized meaning of the word or phrase (e.g., the current edition of Merriam-Webster's Dictionary).

## **148-170 DEFINITIONS**

As used in this Chapter, the following terms shall have the meanings indicated:

**ADT (AVERAGE DAILY TRIPS)** - The average number of motor vehicles per day that pass over a given point or are generated by a specific use, in a twenty-four-hour period.

**ALLEY** - A permanent serviceway providing a means of vehicular access to the side or rear of abutting properties whose principal frontage is on some other street, and not intended for general traffic circulation.

**APPLICANT** - A developer or subdivider submitting an application for subdivision or development.

**APPLICATION** - The application form and all accompanying documents and fees required under this Chapter for approval of a subdivision plat or site development plan.

**AS-BUILT** - A drawing, other than a plat, prepared by the appropriate licensed professional, showing existing post construction data and topography in comparison to the proposed site improvements shown on the approved overlot grading, subdivision or site development plan and is a required submission for bond release or issuance of a final occupancy permit.

**BEARINGS** - See "Dimensions, Angular".

**BLOCK** - A tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways or boundary lines of municipalities.

**BOUNDARY LINE ADJUSTMENT** - The combination or relocation of property boundaries of previously platted and recorded lots where the total number of lots is not increased.

**BUILDING** - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattel.

**BUILDING (SETBACK) LINE** - A line defining the required minimum distance from any building or structure and the adjacent property or street line. Such line shall be measured at right angles to and parallel with the property or street line.

**COMMISSION** - The Planning Commission of the Town of Front Royal.

**COMMON DRIVEWAY** - A driveway jointly owned, used and maintained by the owners of the properties it gives access to.

**COMMON PARKING COURT** - A parking area jointly owned, used and maintained by the owners of properties it provides parking for.

**COMMUNITY SEWERAGE SYSTEM** - A private community sewer system, including collection and treatment facilities established by the developer to serve a subdivision.

**COMMUNITY WATER SYSTEM** - A private water company formed by a developer to serve a community development. It includes water treatment and distribution facilities.

**COMPREHENSIVE PLAN** - The most recent Comprehensive Plan for the Town of Front Royal, Virginia, adopted by the Town Council, and any subsequently adopted amendments or supplements.

**CONDOMINIUM** - A system of separate ownership of individual units in a multiple-unit building or development (See Code of Virginia § 55-79.39 et seq.).

**CONSERVATION EASEMENT** - An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open or wooded condition; retaining such areas as suitable habitat for fish, plants or wildlife; or maintaining existing land uses.

**COUNCIL** - The Town Council of Front Royal, Virginia.

**CUL-DE-SAC** - A local street with a single means of ingress and egress, and having an appropriate turnaround for a safe and convenient reversal of traffic movement.

**DEDICATION** - The deliberate appropriation of land by its owner for any general and/or public use, reserving to himself no other rights than those that are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

**DESIGNATED STORMWATER DRAINAGE IMPROVEMENT AREA** - An area established by the Front Royal Town Council, having related and common stormwater drainage conditions.

**DEVELOPER** - Any person, persons or entity who owns and/or seeks to subdivide or develop land under the provisions of this ordinance. See also "subdivider" and "applicant".

**DEVELOPER SECURITY** - (See "Performance Bond".)

**DEVELOPMENT** - A planning or construction project involving property improvement and, usually, a change in land use character within the site.

**DIMENSIONS, ANGULAR** - The angle between a line connecting two (2) points and a north-south line or meridian and expressed in degrees, minutes and seconds.

**DIMENSIONS, LINEAR** - The horizontal distance between two (2) points, expressed in feet, and as appropriate, to the nearest tenth or one-hundredth of a foot.

**DIRECTOR OF PLANNING** - The Director for the Town of Front Royal or other agent as designated by the Town Council for the administration of this Chapter. Duties as assigned by this Chapter to the Director of Planning may be carried out by staff as assigned by the Director.

**EASEMENT** - Authorization by a property owner which runs with the land of any designated part of his property for use by another for a specific purpose.

**ENDORSEMENT** - The application of the reviewing and/or approving authority's stamp and the signature of the appropriate authority on the record plat.

**ENGINEER** - A person licensed to practice as such in the Commonwealth of Virginia.

**FINAL PLAT** - See "Final Subdivision Plat."

**FINAL SUBDIVISION PLAT** - The plat of subdivision (including resubdivision, major subdivision, and minor subdivision) showing detailed size and boundaries of each lot, street, easement and other items in accordance with the regulations described herein.

**GENERAL DRAINAGE IMPROVEMENT PROGRAM** - A plan adopted by resolution of the Town Council for the construction of stormwater drainage facilities within a designated stormwater drainage improvement area.

**GRADE** - The slope of a road, street or other right-of-way, specified in percentage terms (also see: "Slope").

**GRADING PLAN** - A drawing, other than a plat, prepared by the appropriate licensed professional, showing existing and proposed topography, environmental controls, demolition and/or improvements to the property in accordance with the requirements of this ordinance and/or other applicable local, state or federal regulations.

**HALF STREET** - A street, generally parallel with and adjacent to a property line, having a lesser right-of-way width than normally required.

**HEALTH DEPARTMENT** - The Health Department of the Commonwealth of Virginia.

**HEALTH OFFICER** - The legally designated health authority of the State Health Department for Warren County or his authorized representative.

**HOMEOWNERS' ASSOCIATION** - A private nonprofit association or corporation of property owners and/or residents of a fixed area for the purpose of owning, operating and maintaining various common properties.

**IMPROVEMENTS** - All required utilities and facilities as specified in this Chapter, including, but not limited to, streets, streetlights, landscaping, sidewalks, storm and sanitary sewers, water lines and curbing.

**INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEM** - A septic tank, seepage tile sewage disposal or any other such sewage treatment device approved by the State Health Department.

**JOINT OWNERSHIP** - "Joint ownership" of any type among persons shall be construed as the same owner.

**JURISDICTION** - The area or territory subject to the legislative control of the Town Council of the Town of Front Royal, Virginia.

**LAND SURVEYOR** - A person licensed to practice as such in the Commonwealth of Virginia.

**LANDSCAPE ARCHITECT** - A person licensed to practice as such in the Commonwealth of Virginia.

**LIMITED ACCESS HIGHWAY** - A highway especially designed for through traffic, over which abutters have no easement or right of light, air or access to by reason of the fact that their property abuts upon such limited access highway.

**LOT** - A recorded tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose of transfer of ownership or for building development.

**LOT CONSOLIDATION** - See Lot Line Vacation.

**LOT, CORNER** - A lot abutting upon two (2) or more streets at their intersection; the shortest side fronting upon a street shall be considered the front of the lot, and the longest side fronting upon a street shall be considered the side of the lot. A lot abutting on a curved street or streets shall be considered a "corner lot" if straight lines drawn from the foremost point of the lot meet at an interior angle of less than one hundred thirty-five degrees (135 °).

**LOT, DEPTH OF** - The mean horizontal distance between the front and rear lot lines.

**LOT, INTERIOR** - A lot other than a corner lot.

**LOT LINE ADJUSTMENT** - See Boundary Line Adjustment.

**LOT LINE VACATION** - Elimination of a common boundary line between two (2) parcels of land as part of a properly approved and recorded plat of subdivision or re-subdivision in accord with Code of Virginia § 15.2-2264, provided that such action does not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas, and that no easements or utility rights-of-way are relocated or altered without the express consent of all persons holding any interest therein.

**LOT OF RECORD** - A lot which has been recorded among the land records in the office of the Clerk of the Circuit Court of Warren County.

**LOT, REVERSE FRONTAGE** - An interior lot having frontage on two (2) streets.

**LOT, WIDTH OF** - The horizontal distance between the side lot lines, measured at the front setback line.

**MONUMENT** - A permanent survey marker identifying lot corners, street centerline and right-of-way lines or control points meeting the requirements of this ordinance.

**OPEN AIR USE** - Located or taking place in the open air; out-of-doors, outdoors, outside; happening or existing outside.

**OPEN SPACE** - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for the public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

**OVERLOT GRADING PLAN** - See "Grading Plan."

**OWNER** - Any person, group of persons, firm or firms, corporation or corporations or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations; also applicant, developer and subdivider.

**PARTIAL STREET** - See "Half street."

**PERFORMANCE BOND** - Security in the form of a cash deposit, surety bond or instrument of credit, approved by the governing body and Town Attorney, in an amount equal to the full cost of improvements required by these regulations and providing for completion of said improvement within a definite period.

**PLAN** - A drawing, other than a plat, prepared by the appropriate professional, showing a proposed or tentative project and/or course of action and prepared in accordance with the requirements of this ordinance and/or other applicable local, state or federal regulations.

**PLAN AND PROFILE** - A detailed engineering drawing showing both the plan view and a profile view of required and/or existing infrastructure improvements and generally included with and made a part of the submission of a Site Development or Subdivision Development plan.

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

**PLAT** - A drawing of a specific tract or parcel of land made to scale prepared by a land surveyor or engineer licensed in the Commonwealth of Virginia. The drawing shall be prepared in accordance with the requirements of this ordinance and conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.).

**PRELIMINARY PLAN** - The preliminary drawing or drawings, described in these regulations, including the supplemental information and data required herein, indicating the proposed layout of the subdivision and related information that is submitted to the designated agent for preliminary approval.

**PRELIMINARY PLAT** - See "Preliminary Plan".

**PRIMARY SUBDIVIDED PARCEL** - The object of or reason for the subdivision request, to include all portions of the source tract submitted for approval as new subdivided lots which are to be developed in some fashion by the erection of buildings or construction of improvements thereon or which are to be sold following subdivision to other individuals or entities.

**PRO RATA FEE** - The fee paid by the subdivider or developer for a proportionate share of the cost of construction under the general drainage improvement program for a designated stormwater drainage improvement area.

**PROPERTY** - Any tract, lot or parcel of land or several of the same collected together for the purpose of subdividing or developing.

**PUBLIC IMPROVEMENT** - Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation or which may affect an improvement for which local government responsibility is established.

**RECORD PLAT** - The copy of the plat showing major or minor subdivision, resubdivision, boundary line adjustment, lot consolidation or other drawing meeting the requirements described herein containing the endorsement of the Town of Front Royal and intended to be recorded among the County land records.

**REGULATION, GENERAL** - Any design standard or technical requirement of Chapter 48, Subdivision and Land Development Ordinance, of the Town of Front Royal Municipal Code, that applies to a subdivision or development within the Town of Front Royal.

**REMNANT PARCEL** - A portion of property left over after a subdivision or boundary line adjustment that does not meet the minimum lot size, frontage, or other general regulation of this Chapter, as applicable for the creation of a new lot.

**REQUIREMENT, DESIGN STANDARD** - All of the requirements of Article 8 of this Chapter that pertain to qualitative and quantitative characteristics that set criteria to be satisfied in designing or constructing a subdivision or development within the Town of Front Royal.

**REQUIREMENT, TECHNICAL** - All of the requirements of this Chapter, other than a design standard, that apply to the application, permitting, plan or plat contents, information, or other processes or procedures necessary to obtain approval of a subdivision or development.

**RESIDUAL SUBDIVIDED PARCEL** - A portion of property left over after a subdivision, typically retained by the property owner that complies with the minimum lot size, frontage and other general regulations of this Chapter, as applicable for the creation of a new lot.

**RESUBDIVISION** - A change to an approved or recorded subdivision plat if such change affects any street layout on such area reserved thereon for public use or any lot line thereon or if it affects any plat legally recorded as a subdivision prior to the adoption of any regulations controlling subdivisions.

**REVERSE FRONTAGE LOT** - See "Lot, reverse frontage."

**RIGHT-OF-WAY** - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every "right-of-way" hereafter established and shown on a final subdivision plat is to be separate and distinct from the lots or parcels adjoining such "right-of-way" and not included within the dimensions or areas of such lots or parcels. "Rights-of-way" intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which each "right-of-way" is established.

**ROAD** - Also "street." A strip of land, other than private driveways serving a single structure, subject to vehicular and/or pedestrian traffic providing means of access to property; also designated as "street," "road," "lane," "drive," "avenue," "right-of-way," "highway," "boulevard," "trail," "court," "place," "terrace," etc.

**ROAD, ARTERIAL** - A major street that serves as an avenue for the circulation of traffic and carries a high volume of traffic; as defined in the Town's adopted Construction Standards and Specifications, as amended.

**ROAD, COLLECTOR** - A street that carries and distributes traffic from adjoining local streets to arterial streets; traffic is generally limited to motorists having origin or destination within the immediate neighborhood; as defined in the Town's adopted Construction Standards and Specifications, as amended.

**ROAD, LOCAL** - A street that provides access to lots and carries traffic having destination or origin on the street itself; as defined in the Town's adopted Construction standards and Specifications, as amended.

**ROAD OF RECORD** - Any street shown on any subdivision plat recorded in the office of the Clerk of the Circuit Court, whether such street is constructed or not.

**ROAD OR ALLEY, PUBLIC USE OF** - The unrestricted use of a specific area of right-of-way for ingress and egress to two (2) or more abutting properties.

**ROAD PRIVATE** - A street that is owned and maintained by a non-government entity such as a property owners association and not necessarily open to public use.

**ROAD, SERVICE DRIVE** - A public right-of-way generally parallel with and contiguous to a major highway, primarily designed to promote safety by eliminating ingress and egress to the major highway right-of-way by providing safe and orderly points of access to the major highway.

**ROAD, THROUGH** - A street that carries and distributes traffic to adjoining subdivisions and to streets and highways outside of the subdivision. Such streets function as collector streets.

**ROAD WIDTH** - The total width of the strip of land dedicated or reserved for public travel, including roadway, curb and gutter, sidewalks, planting strips and, where necessary, utility easements.

**SETBACK** - See "Building (setback) line."

**SITE DEVELOPMENT PLAN** - A detailed engineering plan required for the development of an existing parcel of land that shows existing conditions as well as depicting details of a proposed development and prepared in accordance with the regulations described herein.

**SITE DEVELOPMENT PLAN, MAJOR** - Any site development plan other than a minor site development plan.

**SITE DEVELOPMENT PLAN, MINOR** - A site development plan that involves technical, procedural and submission requirements that are generally less restrictive than a major site development plan, and are only allowed for specific types of development. For the purposes of this definition, the specific types of development that may submit a minor site development plan application, in lieu of a major site development plan application, include the following, except that, a major site development plan may be required by the Director for the following uses when the proposed development exceeds the criteria listed under Section 148-210.B. of this chapter:

- a. *For residential uses.* An existing parcel or lot of record in a residential district for three (3) or fewer dwelling units in a single structure.
- b. *For non-residential uses.* The development or re-development of an existing parcel of record where the required number of parking spaces is ten (10) or less and the size of the structure and/or land use area does not exceed two thousand (2,000) square feet.
- c. *Changes of use.* A change of use with no proposed site improvements, other than minor improvements to existing improvements.

Proposed development that includes two (2) or fewer dwelling units on an existing lot or parcel in a residential district shall not require a site development plan, minor or major, but will require the submission of a Proposed House Location Survey prepared in accordance with the requirements of Section 148-1050. An As-Built Survey, prepared in accordance with the requirements of Section 148-1025, shall be submitted prior to the issuance of final approval or authorization for a final occupancy certificate.

**SITE PLAN** - See "Site Development Plan."

**SKETCH PLAN** - A drawing that does not require engineering detail and is an early first draft of a proposed subdivision or development.

**SLOPE** - The steepness, incline, gradient or grade of the natural incline of the ground expressed as a percentage based on computations of rise over run between existing contours.

**SLOPE, STEEP** - (1) Areas of slope of the natural incline of between fifteen percent (15%) to twenty-five percent (25%) which contain highly erodible, highly permeable or shrink-swell soils. (2) Areas of slope of the natural incline greater than twenty-five percent (25%).

**SOURCE TRACT** - In a proposed subdivision, the entire parcel or parcels of land which exists as the single cohesive lot or unit of land in the records of Warren County and the Town of Front Royal, from which all subdivided parcels, are to be taken.

**SPECIAL EXCEPTION** - The approval of a subdivision or development with variations to the general regulations of this Chapter, under the criteria established under Section 148-211, and as authorized by Code of Virginia § 15.2-2242.

**STREET** - See Road.

**STRUCTURE** - Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.

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

**SUBDIVIDE** - The process of creating new lots to establish a subdivision.

**SUBDIVIDER** - A person or persons having a freehold, contractual or possessory interest in a parcel of land, who are commencing proceedings under this Chapter to effect a subdivision or development within the Town.

**SUBDIVISION** - The division of a parcel of land into separate parts, under the terms of this Chapter, regardless of whether the parts are held, developed, sold, leased, rented or transferred. The term includes resubdivision, and when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

**SUBDIVISION AGENT** - Any person who represents or acts for or on behalf of a subdivider or applicant in selling, leasing or developing or offering to sell, lease or develop any interest, lot, parcel, unit, site or plat in a subdivision, except an attorney at law whose representation of another person consists solely of rendering legal services.

**SUBDIVISION DEVELOPMENT PLAN** - A detailed engineering plan of the proposed site improvements required for the development of a proposed subdivision and prepared in accordance with the regulations described herein.

**SUBDIVISION, MAJOR** - Any subdivision other than a minor subdivision.

**SUBDIVISION, MINOR** - A subdivision that does not involve any of the following: the creation of more than a total of eight (8) lots, the creation of any new public streets, the extension of a public water or sewer system, or the installation of drainage improvements through one (1) or more lots to serve one (1) or more other lots.

**SURVEYOR** - A person licensed as such by the Commonwealth of Virginia.

**TOWN** - Town of Front Royal, Virginia.

**TREE COVER** - All areas of coverage by plant materials exceeding five (5) feet in height, to include the area directly beneath the canopy and within the dripline of a tree.

**TREE COVER, PROJECTED TWENTY-YEAR** - The area projected to be directly beneath the canopy and within the dripline of a given tree species after a twenty-year growing period. The reference text used in determining the projected twenty-year cover is Michael W. Dirr's Manual of Woody Landscape Plants, Their Identification Ornamental Characteristics, Culture, Propagation and Uses, 4th Edition, 1990.

**TREE, STREET** - A tree of a deciduous species capable of providing shade that is located in a public place, along the right-of-way adjoining a street or along the street frontage of a property. Such trees shall be a minimum two-inch caliper in size.

**USCGS** - The United States Coast and Geodetic Survey.

**USGS** - The United States Geological Survey.

**UTILITY LOT** - Any parcel or area of land or water that is set aside, dedicated, designated or reserved exclusively for public utilities.

**VIRGINIA COORDINATE SYSTEM OF 1983** - The systems of plane coordinates which have been established by the National Ocean Survey/National Geodetic Survey or its successors for defining and stating the positions or locations of points on the surface of the earth within the Commonwealth of Virginia. Coordinate system = US State Plane 1983; Zone = Virginia North 4501; Datum = NAD 1983; Units = US Survey Feet.

**WAIVER** - The approval of a subdivision or development with variations to the technical regulations of the Chapter, as delegated by Town Council to the Director, under the specific criteria of Section 148-210.

(Reserved.)

## **148-180 EFFECT ON PRIOR ARRIVALS**

Nothing in this Chapter shall be deemed to require any change in or invalidation of plats or projects previously approved and of record prior to the effective date of this Chapter.

## **148-190 SUBDIVISION APPROVAL AND RECORDING REQUIRED**

- A. Whenever any subdivision of land is proposed, before any sale, exchange, transfer, or recordation is made of any subdivided part thereof and before any permit for the erection of a structure in such proposed subdivision shall be granted, the applicant shall apply for and secure approval from the Town of Front Royal

of such proposed subdivision, in accord with all provisions of this Chapter. Plats for each and every separate parcel comprising the source tract, to include all primary and residual subdivided parcels, shall be required to be submitted for approval. Upon approval, plats shall be recorded among the Land Records of Warren County, Virginia.

- B. Hereafter all plans for the subdivision of land within the corporate limits of the Town of Front Royal shall be reviewed and acted upon by the appropriate town, state or other officials in accord with procedures and other requirements as may be provided for in this Chapter. Any change in a recorded plat shall constitute a re-subdivision and shall make said plat subject to any and all of the requirements of this Chapter.
- C. No plan or plat for the subdivision of land within the corporate limits of the Town of Front Royal shall be approved unless and until all Town real estate taxes, delinquent taxes, including interest and penalty, on the entire parcel to be subdivided have been paid in full. The Director shall notify the Director of Finance that the plan or plat is ready for signature approval after all review agency comments have been addressed. The Director of Finance shall then be the first person to sign the plans or plats under the notation that all Town real estate taxes have been paid in full.
- D. The Town shall not approve a subdivision of land if, after adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Provisions of this chapter shall be relied upon to determine suitability.

## **ARTICLE 2 ADMINISTRATION AND GENERAL REGULATIONS**

### **148-200 COMPLIANCE REQUIRED**

- A. The Warren County Clerk of Court shall not file or record a plat of a subdivision until such plat has been approved as required herein. The penalties provided herein shall apply to any failure to comply with the provisions of this Chapter.
- B. No zoning clearance permit will be issued by any administrative officer of the Town of Front Royal, for the construction of any building or other improvement requiring a permit upon any land for which a subdivision plat or site development plan is required, unless and until the requirements of this Chapter have been complied with. Any person aggrieved by the decision of any administrative official whose decision is required pursuant to this Chapter may appeal said decision to the Town Council.

### **148-210 ADMINISTRATIVE WAIVER OF TECHNICAL REQUIREMENTS**

- A. Upon compliance with the provisions of Section 148-210.B, the applicant may submit a waiver application to waive either one (1) or more technical requirements of this Chapter, and receive administrative approval for the plat or plan for the following types of subdivision or land development activities:
  - 1. The division of a single lot or parcel into not more than two (2) parcels or lots.
  - 2. The combination or recombination of previously platted and recorded lots where the total number of lots is not increased, including the vacation or abandonment of a lot line.
- B. Proper finding shall be made that such subdivision or site development:
  - 1. Does not violate the street frontage, lot area and width requirements of the applicable zoning district.
  - 2. Does not violate the setback requirements of the applicable zoning district for the new property boundaries, where current improvements exist at the time of subdivision.
  - 3. Does not involve the creation or dedication of any new public street or drainage easement.

4. Does not involve the extension of any sewer or water lines.
5. Does not obstruct any natural drainage or transportation facility, including planned transportation facilities.
6. Does not concentrate stormwater runoff in an inadequate receiving channel or pipe.

### **148-211 ADMINISTRATIVE VARIANCE BY COUNCIL**

- A. A special exception to the general regulations of this Chapter may be granted by Town Council, for either of the following circumstances:
  1. When strict adherence to the general regulations would result in substantial injustice or hardship; provided that, the special exception would not diminish public health, safety or general welfare, including, but not limited to, consideration that adequate provisions are provided to ensure long-term maintenance of public and shared private facilities, and conformance with the goals and objectives of the Comprehensive Plan.
  2. When it is demonstrated that use of alternative regulations for a particular development would better achieve at least one (1) of the goals listed below; provided that, the administrative variance would not diminish public health, safety or general welfare, including, but not limited to, consideration that adequate provisions are provided to ensure long-term maintenance of public and shared private facilities, and conformance with the goals and objectives of the Comprehensive Plan.
    - a. Creation of affordable housing as defined in the Code of Virginia.
    - b. Design emphasis on the principles of traditional neighborhood design, including pedestrian-friendly roads, interconnection of new local streets with existing local streets, connectivity of pedestrian networks, and mixed-use neighborhoods.
    - c. Conservation or use of on-site natural features to protect water quality or open spaces.
- B. Any request for a variance, shall be submitted to the Director, and shall include a signed and completed application form, any application fees, and any supporting documentation submitted by the applicant.
- C. Prior to approval or denial of any request for a variance, the Planning Commission review and provide recommendations to Town Council.
- D. Town Council may impose such conditions or restrictions upon the premises benefited by a variance as may be necessary to comply with intent of this Chapter and to protect the public interest, safety and/or general welfare.

### **148-220 VIOLATIONS AND PENALTIES**

Any person, firm or corporation violating, causing or permitting the violation of any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, may be punishable by a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00). If the violation is uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00), and any such failure during any succeeding ten-day period shall constitute a separate misdemeanor offence for each ten-day period punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand five hundred dollars (\$1,500.00).

### **148-230 PRIVATE CONTRACTS**

This Chapter has no bearing on any private easement, covenant, agreement or restriction, nor is the responsibility of enforcing such private easement, covenant, agreement or restriction implied herein to any public official, unless otherwise required by this Chapter.

### **148-240 RECORD PLAT REVISIONS OR CHANGES**

No change, erasure, correction or revision shall be made on any record plat, or on any accompanying documents, after approval has been endorsed in writing on the plat unless authorization for such changes has been granted in writing by the approving body or its authorized agent.

### **148-250 AMENDMENTS**

The Town Council may amend this Chapter in whole or in part, provided that any such amendment shall either originate with or be submitted to the Planning Commission for recommendation, and further provided that no such amendment shall be adopted without a public hearing or joint public hearing having been held in accordance with Code of Virginia § 15.2-2204(A). The Planning Commission shall have up to sixty (60) days after referral by the Council to make a recommendation.

### **148-260 FILING**

When this Chapter is adopted or amended, a certified copy of the ordinance and any and all amendments thereto shall be filed in the office of the Town Manager and Warren County Clerk of Court.

### **148-270 STORMWATER DRAINAGE FEES**

**(Reserved.)**

## **ARTICLE 3 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR MAJOR SUBDIVISIONS**

### **148-300 WHEN A MAJOR SUBDIVISION APPLICATION IS REQUIRED**

The requirements of this article apply to all major subdivisions, as defined under Article 9 of this chapter, within the boundaries of the Town of Front Royal.

### **148-301 PRE-APPLICATION PROCEDURE**

A pre-application consultation between the applicant and the designated agent is encouraged prior to the submission of any proposed subdivision. This is desirable to minimize development planning costs, to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

### **148-305 SKETCH PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

#### **A. *Sketch Plan Submission Procedures.***

1. A sketch plan of the proposed major subdivision may be submitted prior to the preparation of engineered development plans. In such cases, a sketch plan shall be considered a submission for

informal discussion and shall not constitute official submission of a plan to the Town. A sketch plan should be submitted to the designated agent in numbers sufficient for distribution to and/or review by appropriate Town departments. The sketch plan should be prepared in accordance with the detail requirements of Section 148-1005.

2. Additional information may be provided at the option of the applicant.

B. *Sketch Plan Review Procedures.*

1. The sketch plan shall be reviewed administratively by the appropriate Town departments, taking into consideration the requirements of the Subdivision and Land Development, Zoning and Tree Ordinances, the arrangement, location and width of streets, the topography of the land, existing and proposed trees, sewage disposal, water supply, drainage and stormwater control, lot sizes and lot arrangement, further development of adjoining lands, the guidelines of the Town Comprehensive Plan and the requirements of other plans and ordinances as adopted by the Town. The advice of other officials or consultants may be sought in reviewing a sketch plan. Within one (1) week of receipt by the Director, the sketch plan submission shall be reviewed for completeness. If found complete, it shall be immediately forwarded to the appropriate Town departments for review.
2. The reviewing departments shall have two (2) weeks for the review of the sketch plan and to provide written comments to the Director. The Director shall then contact the applicant and schedule a meeting to discuss any changes or modifications regarding any aspect of the plan that will be required for approval of future plan submissions. These discussions are informal and will not result in an official summary letter to the applicant, but are intended to serve as a guideline in the preparation of plans.

## **148-310 PRELIMINARY PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

A Preliminary Plan is required for all proposed major subdivisions.

A. *Preliminary Plan Application Procedures.*

1. An applicant may submit a preliminary plan application form and checklist to the Director accompanied by plans in numbers determined sufficient for distribution to and review by the appropriate Town departments.
3. In the event that a Special Use Permit approval is required for any element of the plan or any features therein, a Special Use Permit application shall be made in conjunction with the preliminary application. The Special Use Permit Application may be processed concurrently with the plan, but the SUP must be acted upon by the Planning Commission and approved by the Town Council following standard SUP procedures prior to any approval of the plan.

B. *Preliminary Plan Detail Requirements.* The preliminary plan shall indicate the proposed layout of the major subdivision including supplemental information and data required for the location of proposed lots, parcels, streets, storm drainage and public utilities. The preliminary plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by qualified professionals licensed as same in the Commonwealth of Virginia. The preliminary plan shall be prepared in accordance with the detail requirements of Section 148-1010.

C. *Supplemental Data to Accompany a Preliminary Plan.*

1. Environmental impact statement.
2. Existing and proposed proffers, if applicable.

D. *Preliminary Plan Review Procedures.*

1. The Director shall determine whether the submitted preliminary plan application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. If

an applicant submits an incomplete application, the number of days required for the Town to approve or deny a permit, in accordance with the Code of Virginia, Title 15.2, Chapter 22, will begin upon receipt of complete application. The date of official acceptance of the plan by the Town shall be noted on the application.

2. *Review by the Designated Agent.*

- a. The designated agent shall take action on any proposed plat within 60 days within sixty (60) days of submission of a complete application, and any plat, site plan, or plan of development within 40 days after it has been submitted for approval. However, if approval of a feature of features of the plat, site plan, or plan of development by a state agency or authority is necessary, the designated agent shall forward the plat, site plan, or plan of development to the appropriate agency or authority for review within five days, which shall lengthen the time for approval in accordance with State Code Section 15.2-2259 (3)(b).
- b. The designated agent shall communicate the decision to the applicant, in writing. If the plan is disapproved, the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary to permit approval shall be identified.
- c. If the agent fails to approve or disapprove the plat within sixty (60) days after it has been officially submitted for approval or the site plan or plan of development within forty (40) days, the subdivider after ten (10) days' written notice to the agent, may petition the circuit court for the locality in which the land involved, or the major part thereof, is located to enter an order with respect thereto as it deems proper, which may include directing approval of the plat.
- d. The designated agent shall deny approval of a preliminary plat if it is not in conformance with the Town Code, and all deficiencies on the plan must be addressed by the applicant prior to approval. The agent may approve the plan if there are only minor deficiencies to correct by writing the deficiencies on the plan with a note that states: "These deficiencies will be corrected on the major subdivision submission".
- e. Approval of a preliminary plan does not constitute acceptance of a plat for recording and does not constitute a guaranty of approval of the final subdivision plat.
- f. When a preliminary plan has been approved or approved subject to any conditions, no subsequent changes or amendments in the Town Code shall be applied to adversely affect the right of the applicant to commence and to complete final plan approval. If such Chapter is amended after preliminary approval of such plan, the plan will be rendered nonconforming and will be subject to all requirements placed on such nonconformities.
- g. Preliminary plan approval does not authorize the construction of improvements within the subdivision development plan.
- h. Once a preliminary plan is approved, it shall be valid for a period of five (5) years, provided the subdivider: (i) submits a final subdivision plat for all or a portion of the property within one (1) year of such approval or such longer period as may be prescribed by the designated agent, and (ii) thereafter diligently pursues approval of the final subdivision plat. "Diligent pursuit of approval" means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto. However, no sooner than three (3) years following such preliminary plan approval, and upon ninety (90) days' written notice by certified mail to the subdivider, the agent may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

## **148-315 MAJOR SUBDIVISION SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

A subdivision development plan and a final subdivision plat are required for all major subdivisions. The applicant shall have not more than thirty-six (36), months after receiving official notification of approval of the preliminary plan, to file with the Town an application for major subdivision, in accordance with this Chapter. Failure to do so shall make the preliminary plan approval null and void. However, a specific extension of time may be granted by the Town Council upon written request by the applicant. As a condition of any time extension, the Town Council may impose any new or revised standards or regulations adopted since the original preliminary plan approval.

### *A. Subdivision Development Plan and Final Subdivision Plat Submission Procedures.*

1. An applicant shall submit a major subdivision application form and checklists for a subdivision development plan and final subdivision plat to the Director along with sufficient number of the plan and plat for distribution to and review by the appropriate Town departments.
2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.
3. In the event that a Special Use Permit approval is required for any element of the plan or any features therein, a special use permit application shall be made in conjunction with the preliminary application. The special use permit application may be processed concurrently with the plan, but the SUP must be acted upon by the Planning Commission and approved by the Town Council following standard SUP procedures prior to any approval of the plan.

### *B. Subdivision Development Plan and Final Subdivision Plat Detail Requirements.*

1. The subdivision development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by qualified professionals licensed as same in the Commonwealth of Virginia. The Subdivision Development Plan shall be prepared in accordance with the requirements of Section 148-1015.
2. The final subdivision plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The final plat shall be prepared in accordance with the detail requirements of Section 148-1035.

### *C. Supplemental Data to accompany Major Subdivision Submission.*

1. A landscape plan showing all trees proposed to be removed, all trees proposed to be protected, and all trees proposed to be added. The landscape plan shall be drawn in accordance to the requirements of this Chapter and Chapter 156 (Tree Ordinance).
2. An erosion and sedimentation control plan in accord with the Virginia Erosion and Sediment Control Handbook.
3. A complete list of any and all proffers or other conditions that may be attached to the property through a zoning map amendment, conditional zoning, or special exception approval, in their entirety.
4. A detailed estimate, prepared by a certified professional engineer, of the costs for construction and installation of the following on-site and off-site improvements:
  - a. Any street, curb, gutter, sidewalk, bicycle trail, drainage facility, sewer utility lines and infrastructure, water utility lines and infrastructure, required trees and shrubs, or other improvement dedicated for public use, located within the subdivision and maintained by the Town, the Commonwealth of Virginia, or any other public agency.
  - b. Any other site-related improvements required by this Ordinance or the Town Code for vehicular ingress and egress, including traffic signalization and control, public streets,

structures necessary to ensure stability of critical slopes and for stormwater management facilities.

- c. Cost estimates must be based on per-unit quantities and costs for respective public or private-sector construction within the Northern Shenandoah Valley. The estimates must include a reasonable allowance for estimated administrative costs, inflation during the anticipated time of project completion (determined using the most recent yearly rate of change in the Consumer Price Index or Construction Cost Index), and potential damage to existing roads, utilities or other public facilities.
  - d. Each cost estimate must include an estimated time frame for phasing and completion of all improvements.
  - e. Cost estimates, including estimated time frames, will be reviewed and approved, approved with revisions, or disapproved by the Director of Public Works.
5. All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
  6. Such deed restrictions as may be imposed upon the property as a condition of sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.
  7. In the event that public water and/or sewer is not available to the site to be subdivided, a certificate of appropriate approval of the State Health Department for the water supply and/or sanitary sewage disposal system(s) for a proposed subdivision. If individual on-site sewage disposal systems are to be used, the applicant shall submit Health Department tentative approval of each lot in the subdivision as having a suitable site for a septic system at the state lot size. This shall be done on a lot-by-lot basis. This tentative approval does not guarantee the issuance of a permit for a septic system when construction occurs. The State Health Department reserves the right to withdraw any tentative approval at the time a permit for a septic system is applied for.
- D. *Major Subdivision Review Procedures.*
1. The Director shall determine whether the submitted plats, plans and application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the plan by the Town shall be noted on the application.
  2. *Review by the Designated Agent.*
    - a. The agent shall take action on the subdivision plat and plan within forty (40) days of submission. However, if approval of a feature or features of the proposed subdivision by a state agency or public authority is necessary, the agent shall forward the plan and plat to the appropriate state agency or agencies for review within five (5) business days of receipt of such plats and plans. Upon receipt of the approvals from all state agencies, the agent shall act upon the subdivision within thirty (30) days.
    - b. The Director shall communicate the decision of the commission to the applicant, in writing. If the plan or plat is disapproved, the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary to permit approval shall be identified.
    - c. The agent shall act on any subdivision plan and plat that it has previously disapproved within thirty (30) days after the plan has been modified, corrected and resubmitted for approval.

- d. The designated agent shall review the plan and plat and shall ensure that all requirements and standards of the Town Code have been met and that any appropriate changes from the preliminary plan have been made.
  - e. If the review is favorable, the designated agent shall authorize the Director to endorse the plan and to forward it to the Town Council for consideration.
  - f.
  - f. If the plan and plat is not approved by the designated agent, the reasons for such disapproval shall be transmitted, in writing, to the applicant.
3. *Revisions to subdivision design.*
- a. Any revisions to an approved subdivision development plan must be approved by the designated agent in accord with the procedures of this Chapter prior to making design changes in the field.
- E. *As-built Survey Required.*
- 1. An as-built plan is required for all subdivision development plans. The as-built drawing shall be prepared in accordance with the detail requirements of Section 148-1025.

## **148-320 FINAL SUBDIVISION PLAT RECORDATION REQUIREMENTS**

The purpose of good subdivision and site development design is to create a functional and attractive development, to minimize adverse impacts and to ensure that a project will be an asset to the general welfare of the community. To promote this purpose, all subdivision and site development plans shall conform to the standard herein, which are designed to result in a well-planned community without adding unnecessarily to the cost of development.

- A. *Conditions and Procedures.*
- 1. After approval by the designated agent and with all endorsements indicated on the final subdivision plat, the owner or agent shall record the approved plat in the office of the Clerk of the Circuit Court within six (6) months following the date of approval and shall immediately provide a copy of the recorded plat to the Director. No subdivision plat may be legally recorded unless it bears the required Town endorsements.
  - 2. Such plat shall be filed and recorded in the office of the Clerk of the Circuit Court where deeds are admitted to record for the lands contained in the plat and indexed in the general index of deeds under the names of the owners of lands signing such plat and under the name of the subdivision.
  - 3. Any plat not recorded within six (6) months after approval by the Town shall be considered void, and such approval shall be considered withdrawn. The Director shall mark the plat "VOID" and return it to the applicant.
  - 4. The recordation of such plat shall operate to transfer in fee simple to the Town such portion of the premises platted and set apart for streets, alleys or other public use and to transfer to the Town any easement indicated on such plat to create a public right of passage over the same; but nothing contained in this section shall affect any right of a subdivider of land heretofore validly reserved.
- B. *Termination of Easements.* Upon the recording of an approved plat in the office of the Clerk of the Circuit Court, all rights-of-way, easements or other interest of the Town in the land included on the plat, except as shown thereon, shall be terminated and extinguished. However, an interest acquired by the Town by condemnation or by purchase for valuable consideration and evidenced by a separate instrument of record shall not be affected thereby.

- C. *Phased Recordation.* Where a developer bonds and records a final subdivision plat that is a section of an approved phasing plan, unless otherwise approved by the commission, the developer shall have the right to record the remaining sections shown on the preliminary plan for a period of five (5) years from the recordation date of the first section. Final subdivision plats and plans shall comply with engineering and construction standards and all requirements of the Town Code in effect at the time each remaining section is recorded.
- D. *Re-subdivision.* If a plat is to be revised or amended after recordation, it is a re-subdivision; amendments prior to recordation are revisions to an approved plat.

## **ARTICLE SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR MINOR SUBDIVISIONS**

### **148-400 WHEN A MINOR SUBDIVISION APPLICATION IS REQUIRED**

The requirements of this article apply to all minor subdivisions, as defined under Article 9 of this chapter, within the boundaries of the Town of Front Royal.

### **148-401 PRE-APPLICATION PROCEDURE**

A pre-application consultation between the applicant and the Director is encouraged prior to the submission of any proposed subdivision. This is desirable to minimize development planning costs, to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

### **148-405 SKETCH PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

- A. *Sketch Plan Submission Procedures.*
  - 1. A sketch plan of the proposed minor subdivision may be submitted prior to the preparation of engineered plans. In such cases, a sketch plan shall be considered a submission for informal discussion and shall not constitute official submission of a plan to the Town. A sketch plan shall be submitted to the Director in numbers sufficient for distribution to and/or review by appropriate Town departments. The sketch plan shall be prepared in accordance with the detail requirements of Section 148-1005.
  - 2. Additional information may be provided at the option of the applicant.
- B. *Sketch Plan Review Procedures.*
  - 1. The sketch plan shall be reviewed administratively by the appropriate Town departments, taking into consideration the requirements of the Subdivision and Zoning Ordinances, the arrangement, location and width of streets, the topography of the land, sewage disposal, water supply, drainage and stormwater control, lot sizes and lot arrangement, further development of adjoining lands, the guidelines of the Town Comprehensive Plan and the requirements of other plans and ordinances as adopted by the Town. The advice of other officials or consultants may be sought in reviewing a sketch plan. Within one (1) week of receipt by the Director, the sketch plan submission shall be reviewed for completeness. If found complete, it shall be immediately forwarded to the appropriate Town departments for review.
  - 2. The reviewing departments shall have two (2) weeks for the review of the sketch plan and to provide written comments to the Director. The Director shall then contact the applicant and schedule a meeting to discuss any changes or modifications regarding any aspect of the plan that will be required

for approval of future plan submissions. These discussions are informal and will not result in an official summary letter to the applicant, but are intended to serve as a guideline in the preparation of plans.

## **148-415 MINOR SUBDIVISION SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

A final subdivision plat is required for all minor subdivisions.

A. *Minor Subdivision Submission Procedures.*

1. An applicant shall submit a minor subdivision application form and checklist for a final subdivision plat to the Director along with sufficient number of the plat for distribution to and review by the appropriate Town departments.
2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.

B. *Final Subdivision Plat Detail Requirements.* The final subdivision plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The Final Plat shall be prepared in accordance with the detail requirements of Section 148-1035.

C. *Supplemental Data to Accompany Minor Subdivision Submission.*

1. An overlot grading plan or generalized development plan as determined by the Director. The overlot grading plan and/or generalized development plan shall be prepared in accord with the requirements contained herein.
2. In the event that public water and/or sewer is not available to the site to be subdivided, a certificate of appropriate approval of the State Health Department for the water supply and/or sanitary sewage disposal system(s) for a proposed subdivision. If individual on-site sewage disposal systems are to be used, the applicant shall submit Health Department tentative approval of each lot in the subdivision as having a suitable site for a septic system at the state lot size. This shall be done on a lot-by-lot basis. This tentative approval does not guarantee the issuance of a permit for a septic system when construction occurs. The State Health Department reserves the right to withdraw any tentative approval at the time a permit for a septic system is applied for.

D. *Minor Subdivision Review Procedures.*

1. The Director shall determine whether the submitted plat, plan and application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the application by the Town shall be noted on the application.
2. After official acceptance of the application, the Director shall submit the plat and plan to the appropriate Town departments for review. The Director shall take action on the application within forty (40) days of submission. However, if approval of a feature or features of the proposed subdivision by a state agency or public authority is necessary, the agent shall forward the plat and plan to the appropriate state agency or agencies for review within ten (10) business days of receipt of such plat or plan. Upon receipt of the approvals from all state agencies, the Director shall act upon the submission within thirty (30) days.
3. The Director shall not approve any plan or plat until such plan or plat comply with the Town Code and until all required modifications are made. The Director shall notify the applicant if the plan or plat is disapproved, in writing, and the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary for approval shall be identified.
4. The Director shall act on any subdivision plan and plat that was previously disapproved within thirty (30) days after the plan has been modified, corrected and resubmitted for approval.

5. If the review is favorable, the plat will be signed by the Director, the Director of Finance and the Town Manager, with the date of action.
- E. *As-built Survey Required.*
1. An as-built plan is required for all minor subdivision overlot grading plans. The as-built drawing shall be prepared in accordance with the detail requirements of Section 148-1025.

## **148-420 FINAL SUBDIVISION PLAT RECORDATION REQUIREMENTS**

### A. *Conditions and Procedures.*

1. After approval by the Director and with all endorsements indicated on the final subdivision plat, the owner or agent shall record the approved plat in the office of the Clerk of the Circuit Court within six (6) months following the date of approval and shall immediately provide a copy of the recorded plat to the Director. No subdivision plat may be legally recorded unless it bears the required Town endorsements.
2. Such plat shall be filed and recorded in the office of the Clerk of the Circuit Court where deeds are admitted to record for the lands contained in the plat and indexed in the general index of deeds under the names of the owners of lands signing such plat and under the name of the subdivision.
3. Any plat not recorded within six (6) months after approval by the Director shall be considered void, and such approval shall be considered withdrawn. The Director shall mark the plat "VOID" and return it to the applicant.
4. The recordation of such plat shall operate to transfer in fee simple to the Town such portion of the premises platted and set apart for streets, alleys or other public use and to transfer to the Town any easement indicated on such plat to create a public right of passage over the same; but nothing contained in this section shall affect any right of a subdivider of land heretofore validly reserved.

### B. *Termination of Easements.*

1. Upon the recording of an approved plat in the office of the Clerk of the Circuit Court, all rights-of-way, easements or other interest of the Town in the land included on the plat, except as shown thereon, shall be terminated and extinguished. However, an interest acquired by the Town by condemnation or by purchase for valuable consideration and evidenced by a separate instrument of record shall not be affected thereby.

### C. (Intentionally left blank.)

### D. *Re-subdivision.*

1. If a plat is to be revised or amended after recordation, it is a re-subdivision; amendments prior to recordation are revisions to an approved plat.

## **ARTICLE 5 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR MAJOR SITE DEVELOPMENT PLANS**

### **148-500 WHEN A MAJOR SITE DEVELOPMENT PLAN IS REQUIRED**

The requirements of this article apply to development, as defined by Article 9 of this Chapter, within the Town of Front Royal. Certain types of development may submit a minor site development plan in lieu of a major site development plan, as specified under the definition for a minor site development plan in Article 9 of this Chapter.

## **148-501 PRE-APPLICATION PROCEDURE**

A pre-application consultation between the applicant and the Director is encouraged prior to the submission of any proposed major site development plan. This is desirable to minimize development planning costs, to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

## **148-505 SKETCH PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

### *A. Sketch Plan Submission Procedures.*

1. A sketch plan of the proposed major site development may be submitted prior to the preparation of engineered site development plans. In such cases, a sketch plan shall be considered a submission for informal discussion and shall not constitute official submission of a plan to the Town. A sketch plan shall be submitted to the Director in numbers sufficient for distribution to and/or review by appropriate Town departments. The sketch plan shall be prepared in accordance with the detail requirements of Section 148-1005.
2. Additional information may be provided at the option of the applicant.

### *B. Sketch Plan Review Procedures.*

1. The sketch plan shall be reviewed administratively by the appropriate Town departments, taking into consideration the requirements of the Subdivision and Land Development and Zoning Ordinances, the arrangement, location and width of streets, the topography of the land, sewage disposal, water supply, drainage and stormwater control, lot sizes and lot arrangement, further development of adjoining lands, the guidelines of the Town Comprehensive Plan and the requirements of other plans and ordinances as adopted by the Town. The advice of other officials or consultants may be sought in reviewing a sketch plan. Within one (1) week of receipt by the Director, the sketch plan submission shall be reviewed for completeness. If found complete, it shall be immediately forwarded to the appropriate Town departments for review.
2. The reviewing departments shall have two (2) weeks for the review of the sketch plan and to provide written comments to the Director. The Director shall then contact the applicant and schedule a meeting to discuss any changes or modifications regarding any aspect of the plan that will be required for approval of future plan submissions. These discussions are informal and will not result in an official summary letter to the applicant, but are intended to serve as a guideline in the preparation of plans.

## **148-515 MAJOR SITE DEVELOPMENT PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

### *A. Major Site Development Plan Submission Procedures.*

1. An applicant shall submit a major site development plan application form and checklist to the Director accompanied by plans in numbers determined sufficient for distribution to and review by the appropriate Town departments and any necessary State or Federal agencies.
2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.
3. In the event that Special Use Permit approval is required for any element of the plan or any features therein, a Special Use Permit application shall be made in conjunction with the site development plan submission. The Special Use Permit Application may be processed concurrently with the plan, but the SUP must be acted upon by the Planning Commission and approved by the Town Council following standard SUP procedures prior to any approval of the plan.

B. *Major Site Development Plan Detail Requirements.*

1. The major site development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by qualified professionals licensed as same in the Commonwealth of Virginia. The site development plan shall be prepared in accordance with the detail requirements of Section 148-1020.

C. *Supplemental Data to Accompany Major Site Development Plan Submission.*

1. A landscape plan showing the location, number, species and size of plant materials, in accord with this Chapter. The plan shall show existing trees that are to be preserved on the site and the methods employed for ensuring preservation during the construction process.
2. An erosion and sedimentation control plan in accord with the Virginia Erosion and Sediment Control Handbook.
3. A complete list of any and all proffers or other conditions that may be attached to the property through a zoning map amendment, conditional zoning, or special exception approval, in their entirety.
4. A detailed estimate, prepared by a certified professional engineer, of the costs for construction and installation of the following on-site and off-site improvements:
  - a. Any street, curb, gutter, sidewalk, bicycle trail, drainage or sewerage system, waterline as part of a public system or other improvement dedicated for public use, located within the subdivision and maintained by the Town, the Commonwealth, or any other public agency.
  - b. Any other site-related improvements required by this Ordinance or the Town Code for vehicular ingress and egress, including traffic signalization and control, public streets, structures necessary to ensure stability of critical slopes and for stormwater management facilities.
  - c. Cost estimates must be based on per-unit quantities and costs for respective public or private-sector construction within the Northern Shenandoah Valley. The estimates must include a reasonable allowance for estimated administrative costs, inflation during the anticipated time of project completion (determined using the most recent yearly rate of change in the Consumer Price Index or Construction Cost Index), and potential damage to existing roads, utilities or other public facilities.
  - d. Each cost estimate must include an estimated time frame for phasing and completion of all improvements.
  - e. Cost estimates, including estimated time frames, will be reviewed and approved, approved with revisions, or disapproved by the Director of Public Works.
5. All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
6. If applicable, a record plat showing any proposed easements and/or rights-of-way to be dedicated for utility or street construction.

D. *Major Site Development Plan Review Procedures.*

1. The Director shall determine whether the submitted plan and application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the plan by the Town shall be noted on the application.
2. *Review by the Designated Agent.*
  - a. The agent shall take action on the major site development plan within forty (40) days of submission. However, if approval of a feature or features of the plan by a state agency or public authority is necessary, the agent shall forward the plat and plan to the appropriate state agency

or agencies for review within ten (10) business days of receipt of such plan. Upon receipt of the approvals from all state agencies, the agent shall act upon the site development plan within thirty (30) days.

- b. The designated agent shall communicate the decision of the commission to the applicant, in writing. If the plan is disapproved, the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary to permit approval shall be identified.
  - c. The agent shall act on any major site development plan that it has previously disapproved within thirty (30) days after the plan has been modified, corrected and resubmitted for approval.
  - d. The Designated Agent shall review the plan and shall ensure that all requirements and standards of the Town Code have been met and that any appropriate changes from the preliminary plan have been made.
  - e. An approved major site development plan shall be valid for a period of not less than five (5) years from the date of approval thereof or for such longer period as the agent may, at the time of approval, determine to be reasonable, taking into consideration the size and phasing of the proposed development. A site plan shall be deemed final once it has been reviewed and approved by the locality if the only requirement remaining to be satisfied in order to obtain a building permit is the posting of any bonds and escrows. Upon application of the subdivider or developer filed prior to expiration of a recorded plat or final site plan, the agent may grant one (1) or more extensions of such approval for additional periods as the commission or other agent may, at the time the extension is granted, determine to be reasonable, taking into consideration the size and phasing of the proposed development, the laws, ordinances and regulations in effect at the time of the request for an extension.
  - f. Where a site development plan has been approved, or approved subject to any conditions, prior to the effective date of an ordinance, no subsequent changes or amendments to the Zoning Ordinance and Subdivision Ordinance or other governing ordinance or plan shall be applied to adversely affect the right of the applicant to commence and to complete any item for which the site development plan approval was granted.
3. *Revisions to site development plan design.*
- a. Any revisions to an approved site development plan must be approved by the Town in accord with the procedures of this Chapter prior to making design changes in the field. The extent of the revisions will determine whether or not the revision can be approved administratively or requires re-review by the designated agent.
- E. *As-built Plan Required.*
- 1. An as-built plan is required for all major site development plans. The as-built drawing shall be prepared in accordance with the detail requirements of Section 148-1025.

## **ARTICLE 6 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR MINOR SITE DEVELOPMENT PLANS**

### **148-600 WHEN MINOR SITE DEVELOPMENT PLAN IS REQUIRED**

The requirements of this article apply to the specific types of development specified under the definition of a minor site development plan, found under Article 9 of this Chapter.

## **148-601 PRE-APPLICATION PROCEDURE**

A pre-application consultation between the applicant and the Director is encouraged prior to the submission of any proposed site development plan. This is desirable to minimize development planning costs, to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

## **148-605 SKETCH PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

### *A. Sketch Plan Submission Procedures.*

1. A sketch plan of the proposed minor site development may be submitted prior to the preparation of engineered site development plans. In such cases, a sketch plan shall be considered a submission for informal discussion and shall not constitute official submission of a plan to the Town. A sketch plan shall be submitted to the Director in numbers sufficient for distribution to and/or review by appropriate Town departments. The sketch plan shall be prepared in accordance with the detail requirements of Section 148-1005.
2. Additional information may be provided at the option of the applicant.

### *B. Sketch Plan Review Procedures.*

1. The sketch plan shall be reviewed administratively by the appropriate Town departments, taking into consideration the requirements of the Subdivision and Zoning Ordinances, the arrangement, location and width of streets, the topography of the land, sewage disposal, water supply, drainage and stormwater control, lot sizes and lot arrangement, further development of adjoining lands, the guidelines of the Town Comprehensive Plan and the requirements of other plans and ordinances as adopted by the Town. The advice of other officials or consultants may be sought in reviewing a sketch plan. Within one (1) week of receipt by the Director, the sketch plan submission shall be reviewed for completeness. If found complete, it shall be immediately forwarded to the appropriate Town departments for review.
2. The reviewing departments shall have two (2) weeks for the review of the sketch plan and to provide written comments to the Director. The Director shall then contact the applicant and schedule a meeting to discuss any changes or modifications regarding any aspect of the plan that will be required for approval of future plan submissions. These discussions are informal and will not result in an official summary letter to the applicant, but are intended to serve as a guideline in the preparation of plans.

## **148-615 MINOR SITE DEVELOPMENT PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

### *A. Minor Site Development Plan Submission Procedures.*

1. An applicant shall submit a minor site development plan application form and checklist to the Director accompanied by plans in numbers determined sufficient for distribution to and review by the appropriate Town departments and any necessary State or Federal agencies.
2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.

### *B. Minor Site Development Plan Detail Requirements.* The Minor Site development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by qualified professionals licensed as same in the Commonwealth of Virginia. The site development plan shall be prepared in accordance with the detail requirements of Section 148-1020.

- C. *Supplemental Data to Accompany Minor Site Development Plan Submission.* An Erosion and Sedimentation Control Plan in accord with the Virginia Erosion and Sediment Control Handbook, if applicable.
- D. *Minor Site Development Plan Review Procedures.*
1. The Director shall determine whether the submitted plan and application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the plan by the Town shall be noted on the application.
  2. After official acceptance of the application, the Director shall submit the plat and plan to the appropriate town departments for review. The Director shall take action on the application within forty (40) days of submission. However, if approval of a feature or features of the proposed subdivision by a state agency or public authority is necessary, the commission or agent shall forward the plat and plan to the appropriate state agency or agencies for review within ten (10) business days of receipt of such plat or plan. Upon receipt of the approvals from all state agencies, the Director shall act upon the submission within thirty (30) days.
  3. Except where a phased project has been approved by the Town, a minor site development plan shall be void if a building permit for all aspects of the approved plan is not obtained within one (1) year of final approval.
  4. The Director shall not approve any plan until such plan complies with the Town Code and until all required modifications are made. The Director shall notify the applicant if the plan is disapproved, in writing, and the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary for approval shall be identified.
  5. The Director shall act on any plan that was previously disapproved within thirty (30) days after the plan has been modified, corrected and resubmitted for approval.
  6. If the review is favorable, the plan will be signed by the Director, the Director of Finance and the Town Manager, with the date of action.
- E. *As-built Plan Required.* An as-built plan is required for all minor site development plans, except where waived in accordance with this Chapter. The as-built drawing shall be prepared in accordance with the detail requirements of Section 148-1025.

## **ARTICLE 7 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR BOUNDARY ADJUSTMENTS AND LOT CONSOLIDATIONS**

### **148-700 WHEN A BOUNDARY ADJUSTMENT OR LOT CONSOLIDATION APPLICATION IS REQUIRED**

The requirements of this article apply to any boundary adjustment or lot consolidation, as defined by Article 9 of this Chapter, within the Town of Front Royal. A plat of survey that does not involve any changes to the existing lot or parcel is not subject to the requirements of this article.

### **148-701 PRE-APPLICATION PROCEDURE**

A pre-application consultation between the applicant and the Director is encouraged prior to the submission of any proposed boundary adjustment or lot consolidation. This is desirable to avoid misunderstanding or

misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

### **148-715 BOUNDARY ADJUSTMENT AND LOT CONSOLIDATION SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES**

A boundary adjustment/lot consolidation plat is required for all boundary adjustments or lot consolidations.

- A. *Boundary Adjustment and Lot Consolidation Submission Procedures.*
  - 1. An applicant shall submit a boundary adjustment/lot consolidation application form and checklist to the Director along with sufficient number of copies of the plat for distribution to and review by the appropriate Town departments.
  - 2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.
- B. *Boundary Adjustment and Lot Consolidation Plat Detail Requirements.* The boundary adjustment/lot consolidation plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The Final Plat shall be prepared in accordance with the detail requirements of Section 148-1040.
- C. *(Intentionally left blank.)*
- D. *Boundary Adjustment and Lot Consolidation Review Procedures.*
  - 1. The Director shall determine whether the submitted plat application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the application by the Town shall be noted on the application.
  - 2. After official acceptance of the application, the Director shall submit the plat to the appropriate Town departments for review. The Director shall take action on the application within forty (40) days of submission. However, if approval of a feature or features of the proposed boundary adjustment or lot consolidation by a state agency or public authority is necessary, the director shall forward the plat to the appropriate state agency or agencies for review within ten (10) business days of receipt of such plat. Upon receipt of the approvals from all state agencies, the Director shall act upon the submission within thirty (30) days.
  - 3. The Director shall not approve the plat until such plat complies with the Town Code and until all required modifications are made. The Director shall notify the applicant if the plat is disapproved, in writing, and the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary for approval shall be identified.
  - 4. The Director shall act on any boundary adjustment or lot consolidation plat that was previously disapproved within thirty (30) days after the plat has been modified, corrected and resubmitted for approval.
  - 5. If the review is favorable, the plat will be signed by the Director, the Director of Finance and the Town Manager, with the date of action.

### **148-720 FINAL PLAT RECORDATION REQUIREMENTS**

- A. *Conditions and Procedures.*

1. After approval by the Director and with all endorsements indicated on the final plat, the owner or agent shall record the approved plat in the office of the Clerk of the Circuit Court within six (6) months following the date of approval and shall immediately provide a copy of the recorded plat to the Director. No plat may be legally recorded unless it bears the required Town endorsements.
2. Such plat shall be filed and recorded in the office of the Clerk of the Circuit Court where deeds are admitted to record for the lands contained in the plat and indexed in the general index of deeds under the names of the owners of lands signing such plat.
3. Any plat not recorded within six (6) months after approval by the Director shall be considered void, and such approval shall be considered withdrawn. The Director shall mark the plat "VOID" and return it to the applicant.

## **ARTICLE 8 DESIGN STANDARDS**

### **148-800 GENERAL PROVISIONS**

- A. The design standards and regulations of this Article shall be required as minimum requirements for all subdivisions and developments within the Town.
- B. Except where this Article specifically requires or allows for the approval of alternative design standards, the design standards of the Virginia Department of Transportation, Virginia Department of Conservation and Recreation, Virginia Department of Environmental Protection shall be required for all subdivisions and development.
- C. The requirements of this Article incorporate by reference the additional minimum standards of the document *Construction Standards and Specifications Manual (2005)*, or as may be amended in the future after review by the Planning Commission and approval by Town Council.

### **148-810 DEVELOPER'S RESPONSIBILITY**

Nothing herein shall be construed to create an obligation on the Town to design, engineer, or construct any of the improvements required by this article. Costs associated with new subdivisions or developments shall be responsibility of the developer or subdivider unless otherwise approved by Town Council.

### **148-820 STREET DESIGN**

- A. *General Standards.*
  1. All streets shall be dedicated to the Town of Front Royal for public use, and shall be designed, engineered and constructed to the public street design standards found within the *Virginia Department of Transportation (VDOT) Road Design Manual*, and associated Appendixes.
  2. Proposed subdivisions and developments shall coordinate the location, width and other street improvements associated with proposed streets with existing and planned streets that are contiguous to, or within, the property boundaries. For the purposes of this subsection, planned streets shall include streets, rights-of-way, and street improvements designated as a future road improvement by the Town of Front Royal Comprehensive Plan. Town Council, upon recommendation by the designated agent, may waive this requirement where the continuation of the planned, existing or platted street will create adverse traffic impacts.
    - a. The proposed street system shall extend existing or planned streets at the same width or larger, but at not less than the required minimum width as specified in this chapter. Where possible, a

new intersection into an existing street shall align with an existing street intersection on the opposite side of such street.

- b. Streets that are designated for continuation to adjoining properties shall be designed and constructed to the property line with a temporary cul-de-sac turnaround, or other temporary turn-around approved by the Town.
  3. Whenever a property proposed for subdivision or development abuts or contains an existing public street that does not meet the minimum right-of-way width requirements of this article, additional right-of-way shall be provided on each side of the existing public street abutting the proposed subdivision or development so the minimum right-of-way width requirement is ultimately achieved.
  4. On-site road improvements shall be required for new subdivisions or developments based on the requirements of this chapter.
  5. In accordance with Code of Virginia § 15.2-2242.A.4, the Town may accept certain off-site road improvements that are reasonable and necessary, the need for which is substantially generated and reasonably required by the construction or improvement of the subdivision or development. Off-site road improvements may include, but are not limited to, acceleration and deceleration lanes, a center turning lane, a parallel service drive, reverse frontage lots, and/or the dedication of additional right-of-way.
  6. In accordance with Code of Virginia § 15.2-2242.A.4, the Town may develop reasonable provisions for the advancement of payments for, or construction of, reasonable and necessary road improvements located outside the property limits of the land owned or controlled by the subdivider or development, the need for which is substantially generated and reasonably required by the construction or improvement.
  7. Private lanes or streets shall not be authorized for any new or existing subdivision or development without approval by the Town in accordance with Section 148-820.N.
- B. *Partial and Half Streets.* Partial and half street sections of the required full street section may be authorized for subdivisions or developments with multiple phases, provided that the partial or half sections are sufficient to handle anticipated traffic volumes for the stage of development. Where possible, the dedication and grading of the full section shall be provided during the engineering and construction processes for the partial or half street sections.
- C. *Street Hierarchy and Right-of-Way Widths.*
1. Streets shall be classified in the following street hierarchy system based on the characteristics and magnitude of the service to be provided:
    - a. *Local Streets.* Local Streets, also referred to as Subdivision Streets, shall include streets that function to serve as direct access to adjacent land for relatively short distances. Streets shall be classified as a Local Streets when the projected traffic volume is less than two thousand (2,000) average daily trips (ADT), except when appropriate to designate as Collector or Arterial Streets based on the *Virginia Department of Transportation (VDOT) Road Design Manual*, and associated Appendixes.
    - b. *Collector Streets.* Collector Streets shall include streets that function to serve as a distributor to arterial streets for relatively medium distances. Streets shall be classified as Collector Streets in accordance with the *Virginia Department of Transportation (VDOT) Road Design Manual*, and associated Appendixes.
    - c. *Arterial Streets.* Arterial streets shall include streets that function to serve as a main travel route between designations for relatively long distances. Streets shall be classified as Arterial Streets in accordance with the *Virginia Department of Transportation (VDOT) Road Design Manual*, and associated Appendixes.

2. The minimum width of a proposed street right-of-way, measured from lot line to lot line on either side of such right-of-way, shall be as shown in the table below for Alleys and Local Streets. All streets shall comply with the minimum right-of-way requirements found within the *Virginia Department of Transportation Road Design Manual*, and associated appendixes. Alleyways shall be no less than a minimum of 20' in right-of-way width, and no road to be accepted into maintenance and ownership by the Virginia Department of Transportation (VDOT) shall be less than 30' in right-of-way width.
3. Additional right-of-way and pavement widths may be required by the Town Council for major subdivisions, the Director for minor subdivisions, or the Planning Commission for developments other than subdivisions, for the purpose of promoting the public safety and convenience or to provide parking in commercial and industrial areas and in areas of high-density residential development.
- D. **Construction of Public Streets And Alleys.** The following specifications shall apply for public streets within the corporate limits of Front Royal, unless otherwise approved by special exception.
  1. The roadway shall be graded to the full width of the right-of-way.
  2. Where deemed necessary, the Town may require boring tests, and if warranted, require the replacement of unsuitable subgrade materials and compaction certification of the subgrade and base materials for new streets.
  3. When grading slopes steeper than fifty percent (50%) or where erosive soils are present, the Town may require on-site inspection of grading activities to be inspected by a geotechnical engineer provided by the developer.
  4. The subdivider or developer shall be required to warrant and repair any deficiencies in the constructed roadway for one (1) year following the date of acceptance by the Town Council.
  5. The roadway shall meet the geometric design requirements of VDOT, unless otherwise specified within this Chapter.
  6. The minimum design standards of the following table shall be required for all Local Streets, Collector Streets and Alleys. Arterial Streets design standards shall comply with the *Virginia Department of Transportation Road Design Manual*, and associated Appendixes.

	<b>Pavement Width (SM-9.5A)<sup>2</sup></b>	<b>Base Course Width (BM 25.0)<sup>3</sup></b>	<b>Sub Base Width (21-B)<sup>4</sup></b>	<b>Surface Course Pavement Depth (SM-9.5A)</b>	<b>Base Course Depth (BM 25.0)</b>	<b>Sub Base Depth (21-B)<sup>5</sup></b>
<b>Alleys</b>	12'	N/A	N/A	1 <sup>1/2</sup> "	N/A	6"
<b>Local Streets:</b>						
Up to 2,000 ADT	36'	36'	39'	1 <sup>1/2</sup> "	3"	6"
<b>Collector Streets<sup>6</sup>:</b>	40'	40'	43'	1 <sup>1/2</sup> "	3"	6"

<sup>2</sup> Pavement is from face-of-curb to face-of-curb, which includes the gutter pan.

<sup>3</sup> Base Course is from face-of-curb to face-of-curb, which includes the gutter pan.

<sup>4</sup> Sub Base extends beyond the widths of pavement, base course and curb and gutter.

<sup>5</sup> Stone, gravel or other satisfactory material approved by the Town.

<sup>6</sup> These minimum standards for Collector Streets shall be increased where required by the standards for Collector Streets found within the *Virginia Department of Transportation Road Design Manual*, but shall not be less.

E. **Restriction of Access.**

1. The following streets are hereby classified as limited-access by the Town:
    - a. West Strasburg Road from its intersection with North Shenandoah Avenue westward to the Town boundary.
    - b. John Marshall Highway from its intersection with South Commerce Avenue eastward to the Town boundary.
    - c. Leach Run Parkway from its intersection with Happy Creek Road southward to John Marshall Highway (upon completion).
    - d. Reserved.
    - e. Reserved.
  2. Streets that are classified as limited-access streets shall only be accessed from connections with public streets or approved private streets.
  3. Whenever a proposed subdivision contains or is adjacent to a limited-access highway, provisions shall be made for either a service drive or for reverse frontage lots. A service drive shall be approximately parallel to such right-of-way at a distance suitable for an appropriate use of the land between such highway and the proposed subdivision. Such distances shall be determined with due consideration of the minimum distance required for ingress and egress to the main thoroughfare. The right-of-way of any highway or street projected across any railroad or limited access highway shall be of adequate width to provide for the cuts or fills required for any future separation of grades.
- F. *Approach Angle and Alignment.* All streets shall approach each other at an angle of not less than eighty degrees (80°) unless the Town shall approve a lesser angle of approach for reasons of terrain, contour or the matching of existing patterns. Street jogs with a centerline offset of less than one hundred twenty-five (125) feet shall not be permitted. Town Council may authorize a waiver to this requirement if no other reasonable alternative exists and it is demonstrated that the deviation will not result significant traffic problems.
- G. *Street Grades.* Centerline grades for all streets shall not exceed ten percent (10%). The grade of cul-de-sac turnarounds shall not exceed four percent (4%).
- H. *Cul-de-sac and Dead-end Streets.*
1. Dead-end streets shall be prohibited, except for the circumstances listed below:
    - a. Dead-end streets shall be permitted as stubs to permit future extensions to adjoining land or future phases of a subdivision or development.
    - b. Dead end streets shall be permitted where, in the opinion of the designated agent, interconnectivity is not desired or feasible for the proposed type of subdivision or development.
  2. In such instances when dead-end streets are allowed, they shall be designed as cul-de-sac streets.
  3. Cul-de-sac streets shall not exceed eight hundred (800) feet in length and shall not furnish access to more than twenty-five (25) individual lots.
  4. Any dead-end street intended for access to an adjoining property or created as the result of stage development shall be provided with a temporary all-weather turnaround within the subdivision. Such dead-end streets shall not exceed eight hundred (800) feet in length from the centerline of the nearest road intersection.
  5. Except for permanently designed cul-de-sac streets, the turnaround right-of-way of dead-end streets shall be placed adjacent to the tract on the subdivision stage boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.
  6. All dead-end and cul-de-sac streets shall be provided at the closed end with a turnaround whose minimum radius shall be forty (40) feet.

7. Drainage of cul-de-sac streets shall preferably be designed towards the open end. If drainage is designed toward the closed end, adequate provisions shall be made for runoff to be carried away. Drainage easements shall be required where necessary.
- I. *Street Signs and Names.* All procedures and standards for street signs and names shall be consistent with the E-911 Addressing System which shall supersede the standards below in the case of any conflict between them.
    1. At each street intersection within or adjacent to the proposed subdivision, one (1) street identification sign of a design approved by the Town shall be installed by and at the expense of the subdivider/developer. Such signs shall comply with VDOT's street sign requirements and the Federal Highway Administration's Manual on Uniform Traffic Control Devices.
    2. Street names shall be subject to the approval of the Town Council. Names of existing streets shall not be changed except by approval of the Council.
    3. A proposed street which is in alignment with an existing named street shall bear the name of the existing street.
    4. The name of a proposed street shall not duplicate that of an existing street in the Town or in the postal district. The use of the following suffixes: street, road, avenue, boulevard, drive, way, place, court, lane, etc., shall constitute a duplication if used after a name which is repeated after the suffix. Names which may be confused with existing street names shall be avoided.
    5. Should development on a street occur prior to acceptance of the street for maintenance by the Town, temporary signs indicating "Not Maintained by the Town" with the proposed street name shall be installed by the developer.
  - J. *Alleys.*
    1. Alleys may be permitted where vehicular access to lots is restricted from public streets.
    2. Dead-end alleys shall be avoided. In the event that this proves impractical, dead-end alleys shall terminate with an all-weather circular turnaround having a minimum radius of forty (40) feet.
    3. Alley intersections and sharp changes in alley alignment shall be avoided.
    4. Notwithstanding the requirements of Section 148-870.A.20, rear load parking access from alleys is permitted as a means of meeting required parking standards.
  - K. *Driveways.* Private driveways on corner lots shall be located at least forty (40) feet from the curblin intersection.
  - L. *Railroad Crossings.* The creation of new at-grade railroad crossings shall be prohibited, unless it involves the closure of one (1) or more existing at-grade railroad crossings and improves overall safety. Existing at-grade railroad crossings shall not be used as the primary means of access to a subdivision or development. Where existing at-grade railroad crossings are utilized as secondary access or are included within the streets of a subdivision, the applicant shall be responsible for providing flashing lights and short-arm gates, unless the railroad track is no longer active.
  - M. *Subdivision and Development Entrances.*
    1. All means of access and entrances to a subdivision or development shall conform to all applicable standards of the Town and the Virginia Department of Transportation.
    2. Where feasible, each subdivision shall provide two (2) connections to an existing public street where the traffic generated from the subdivision or development is between five hundred one (501) and two thousand (2,000) ADT's. Three (3) road connections shall be provided where the traffic generated exceeds two thousand (2,000) ADT's. In situations where only one (1) street connection is physically possible, due to topography, site distance or road frontage, the single entrance street shall be a four-lane restricted access divided road with a length of not less than two hundred fifty (250) feet for roads

generating two thousand one (2,001) or more ADTs, and for every additional five hundred (500) ADTs generated, the four-lane divided street standard shall be extended an additional one hundred (100) feet. Streets with two thousand (2,000) or fewer ADTs shall not be subject to this requirement.

N. *Private Streets, Common Driveways, and Common Parking Courts.*

1. *Private Streets.*

a. Subdivisions on existing private non-dedicated private streets are permitted only as follows:

- [1] Each lot parcel shall be a minimum of two (2) acres in area, regardless of zoning district classification.
- [2] Each lot and residual parcel shall abut with a minimum frontage of one hundred seventy-five (175) feet on the existing private non-dedicated street, regardless of zoning district classification.
- [3] The existing private non-dedicated street shall have been platted and recorded in the office of the Clerk of the Circuit Court of Warren County on or before December 31, 1978.
- [4] The existing non-dedicated street shall have a platted width of at least fifty (50) feet at the date of subdivision approval. For subdivisions along Locust Dale Road, the width can be approved as thirty (30) feet for that section at or near John Marshall Highway.
- [5] As of the date of subdivision approval, the platted non-dedicated street shall be in existence and shall conform to minimum design standards of a graded road surface of at least twenty (20) feet wide, suitable for motor vehicle traffic, topped with gravel, crushed stone or other all-weather material, and provided with such culverts and ditching as are necessary to carry water runoff and to prevent erosion of the road surface. Conformity with said minimum design standards shall be subject to the inspection and approval by the Town.
- [6] In order to facilitate future dedication of street right-of-way, the applicant shall dedicate to the Town of Front Royal such additional footage along the street frontage of each lot and residual parcel necessary to increase the street width to that required for the type of street in accordance with this Chapter, for that portion of the street abutting the subdivided lots and residual parcels. The applicant shall further dedicate to the Town of Front Royal any and all property interest he may possess in the existing non-dedicated street as a whole.
- [7] All the aforesaid dedications shall be contingent and shall not take effect until such time as the entire street or a contiguous portion connected to a public street is improved to the then-current state standards for public streets, is subsequently dedicated to the Town of Front Royal by all parties in interest and is accepted by the Town of Front Royal as a public street. Until such time, the Town of Front Royal shall be under no obligation to maintain or improve any portion of the aforesaid street, and the Town shall not be liable for any acts or omissions associated with the street and its use.
- [8] The private street does not exceed a total of twenty-five (25) dwelling units or lots.

b. Subdivisions on new non-dedicated private streets may be permitted upon the approval of a special exception by Town Council. In addition to the general submission requirements for special exceptions, as prescribed under this Chapter, requests for private streets through the special exception process shall include a concept plan prepared by a Virginia registered architect, landscape architect, land surveyor or engineer with seal and signature affixed to the plan. The plan shall be approximately to scale and clearly show the following:

- [1] Location map showing existing zoning and ownership of property and adjacent land;

- [2] Identification of principal site features, including topography, steep slopes, wetlands, wooded areas, archeological areas, floodplains, and other features of significant public interest;
  - [3] Relationship of the proposal with surrounding utilities and public facilities to serve the tract at the ultimate proposed densities;
  - [4] A general layout of the road system within the project, including all proposed private and public streets and land uses;
  - [5] Detailed information on the proposed private street standards with an explanation of the reason for any modifications to the public street standards of this Chapter;
  - [6] A description of the provisions for continued maintenance of any proposed private street;
  - [7] A description of the private deed restrictions that will be provided as notice to future property owners regarding the limitations of service available on any proposed private streets.
2. Subdivisions abutting approved non-dedicated common driveways may be permitted as follows:
- a. Each lot shall be a minimum of two (2) acres in area.
  - b. Each approved common driveway shall serve no more than six (6) single-family residential lots.
  - c. Common driveways permitted under this section shall have a minimum pavement width of twenty (20) feet and a minimum public easement width of forty (40) feet and shall not serve a through function. All common driveways shall be designed and constructed in accordance with the construction standards of the Town of Front Royal and shall be sufficient to accommodate emergency vehicle travel.
  - d. No common driveway shall be located within twenty-five (25) feet of any abutting property which is not directly served by the common driveway.
  - e. Each common driveway shall connect with a publicly dedicated street or highway. No common driveway shall be more than six hundred (600) feet in length.
  - f. Each common driveway shall be clearly identified as such. A single sign, not to exceed two (2) square feet in area, shall be posted at the entrance, displaying only the words "Private Drive" and the addresses of the residences utilizing the common driveway. Addresses shall be assigned to the dedicated public street to which the common driveway connects.
  - g. In addition to all other requirements for a final subdivision plat, any subdivision containing a common driveway shall include a statement on the final subdivision plat acknowledging a perpetual private maintenance responsibility and guaranteeing public utility and emergency vehicle access.
3. Subdivisions with townhouse or duplex lots abutting common parking courts shall be permitted as follows:
- a. Each approved common parking court shall serve no more than a total of thirty-six (36) dwelling unit lots, one (1) dwelling unit per lot. A minimum of two and one-half (2½) parking spaces are required for each Townhouse unit.
  - b. No common parking court shall serve a through function, and all common parking shall be designed in accordance with the provisions of Section 148-870.D.
  - c. Common parking areas shall be adequately landscaped to ensure the residential character of the development, as provided in Section 148-870.
  - d. No common parking court shall be located within twenty-five (25) feet of any abutting lot which is not directly served by the common parking court.

- e. Each common parking court driveway shall be clearly identified as a private roadway. A single sign, not to exceed two (2) square feet in area, shall be posted at the entrance, displaying only the words "Private Drive" and the addresses of the residences utilizing the parking court. Addresses shall be assigned to the dedicated public street to which the common driveway connects.
- f. In addition to all other requirements for a final subdivision plat, any subdivision containing a common parking court shall include a statement on the final subdivision plat acknowledging a perpetual private maintenance responsibility and guaranteeing public utility and emergency vehicle access.
- g. Townhouses and/or duplexes that utilize common parking courts shall include a minimum of four (4) acres.

### **148-830 BLOCKS AND LOTS**

- A. *Block Length.* Blocks should not normally exceed one thousand two hundred (1,200) feet, unless unusual circumstances justify greater length. Within blocks of over eight hundred (800) feet in length, the Town may require dedication of a ten-foot right-of-way at or near the middle of the block for a public pedestrian walkway connecting adjacent streets or other public and private areas.
- B. *Block Depth.* Blocks should be wide enough to allow two (2) tiers of lots of appropriate depth, except where an interior street parallels an arterial street or highway or where topographical conditions or the parcel size make a double tier impractical. In these cases, the Town Council may approve a single tier of lots.
- C. *Lot Shape.*
  - 1. Lots shall not contain peculiarly shaped elongations, unusable for normal building purposes, solely to provide necessary square footage.
  - 2. The depth of residential lots shall not be less than one (1) nor more than four (4) times the width, unless the Town approves other configurations because of unusual topographical conditions.
- D. *Lot Location.*
  - 1. The municipal boundary of the Town shall not cut through lots but rather shall act as lot lines for property adjacent to either side of the municipal boundary.
  - 2. Each lot shall abut a street dedicated to and accepted by the Town of Front Royal, and each lot shall have a minimum frontage of fifty (50) feet on said street, or other minimum as specified in Chapter 175, Zoning, of the Municipal Town Code.
- E. *Remnants.* All remnants shall be added to adjacent land within a subdivision.
- F. *Residual Parcels.* For the purpose of this ordinance a residual parcel shall be treated as a typical lot.

### **148-840 UTILITIES AND SERVICES**

- A. *Sanitary Sewer.*
  - 1. The applicant shall provide the type of sanitary sewer disposal facility determined by the Town and the Health Department to be consistent with existing physical, geographical and geological conditions. Connection to the Town sanitary sewer system shall be required, if available. Where Town sanitary sewers are not available, the following types of sanitary sewage disposal facilities shall be employed in order of desirability:
    - a. Community sanitary sewage system with a temporary sewage treatment plant.
    - b. On-lot disposal with septic tank and drain field.

2. Sanitary sewers, whether public, community or on-site, shall be designed and constructed in strict accordance with standards of the Department of Health, Department of Environmental Quality, and/or the Town's construction standards, as applicable.
3. The sewer system and all service lines and appurtenances shall be installed in accordance with the plans and profiles prepared for the subdivision or development by a professional engineer or licensed land surveyor and shall be approved by the Town Engineer.
4. Sanitary sewers shall not be used to carry stormwater.
5. Where the Town determines that the public sanitary sewage collection system is accessible to the subdivision, the connections from the system to the property line of each lot in the subdivision shall be made at the time that the general site improvements are installed. Sewer connection shall be installed by the applicant at his own expense in accordance with the design and specifications of the Town of Front Royal and shall be inspected by the Town in each instance.
6. Sanitary sewer lines installed in accordance with plans and specifications approved by the Town shall be required improvements in each subdivision or development to serve each subdivision lot, except where the Town sewer lines are not available to the subdivision site and septic tanks are to be employed. The applicant at the time the sanitary sewer lines are constructed shall, at his own expense, install connections from the sanitary sewage lines to the property line of each lot in the subdivision not then served by the existing public sanitary sewage system.
7. The subdivider or developer shall be required to warrant and repair any deficiencies in the constructed sanitary sewer system for one (1) year following the date of acceptance by the Town Council.

**B. *On-site Sewage Disposal.***

1. Subdivisions and developments that propose an on-site sewage disposal system shall provide the results of a soil evaluation from an Authorized On-site Soil Evaluator (AOSE) at the time of preliminary plan submittal.
2. No plat shall be approved for a subdivision or development where septic tanks are to be used, unless a tentative approval from the Health Department is received stating that all lots have a suitable site for a septic tank system.

**C. *Water Supply.***

1. Complete water main line systems installed in accordance with plans and specifications approved by the Town shall be required improvements in each subdivision or development to serve each subdivision, except where Town water lines are not available to the site and individual wells are to be used. Where determined feasible by the Town, water lines serving any cul-de-sac or other dead-end street exceeding three hundred (300) feet in length shall be connected back in a loop to the water distribution system. A blowoff valve assembly shall be installed at the end of all temporary dead-end streets, where no permanent fire hydrant is installed or where no loop back into the water distribution system is provided, for the purpose of periodic flushing of the water mains. Such systems shall furnish an adequate supply of water to each lot and shall have adequate main sizes and fire hydrants located and installed in accordance with specifications of the Town of Front Royal. A copy of the preliminary approval of such system by the appropriate public agency or utility company shall be submitted with the final plat.
2. The water system and all service lines and appurtenances, except the water meter, shall be installed in accordance with the plans prepared for the subdivision or development by a professional engineer or licensed land surveyor and shall be approved by the Town Engineer.
3. In instances where Town water is not available to the subdivision site, the Town may require the applicant to provide his own community water system in accordance with plans and specifications approved by the Town and the State Department of Health. Agreements may be required as to the

ownership and maintenance of private community water systems. A copy of the approval of such system by the appropriate public agency or utility company shall be submitted with the final plat.

4. Where the Town water system is accessible to the subdivision site, the connections from the system to the property line of each lot in the subdivision not served by Town water shall be made at the time the general site improvements are installed. The water connections shall be installed by the applicant at his own expense in accordance with the design and specifications of the Town of Front Royal and shall be inspected by the Town in each instance.
5. Where individual wells or other on-site water supply systems are to be utilized, each lot so served shall be of such size and shape to allow safe location of the water source, in accordance with Health Department requirements.
6. The subdivider or developer shall be required to warrant and repair any deficiencies in the constructed water service system for one (1) year following the date of acceptance by the Town Council.

D. *Stormwater Management.*

1. *Storm drainage facilities: adequacy, size and capacity.*
  - a. Stormwater management facilities designed and installed for subdivisions and developments shall have the hydraulic characteristics necessary to accommodate the expected flow of stormwater from a given watershed or portion thereof for a specified duration and intensity of rainfall, as stated in Subsection 2 shown below. Determination of flooding and channel erosion impacts to receiving streams due to land development projects shall be measured at each point of discharge from the development project and such determination shall include any runoff from the balance of the watershed which also contributes to that point of discharge.
  - b. Stormwater management facilities shall be designed to:
    - [1] Account for both on-site and off-site stormwater;
    - [2] Honor natural drainage divides;
    - [3] Convey stormwater to a stream, water channel, natural drainageway or existing facility;
    - [4] Discharge stormwater into an existing facility of sufficient capacity to receive the same; and
    - [5] Not increase stormwater flow so as to create the potential for an increased hazard to downstream landowners.
  - c. In determining the size and capacity of an adequate stormwater drainage system design, the applicant shall take into account the characteristics and location of the subdivision or development in the watershed or affected portions thereof. The design shall not adversely affect adjacent or neighboring properties.
2. The method used for determining the specified design storms and determining pre-development and post-development runoff rates shall comply with the current standards and guidelines of the Virginia Department of Environmental Quality (DEQ).
3. *Off-site stormwater management.* The following minimum criteria shall apply to protect waterways and property downstream from erosion due to increases in the volume, velocity and peak flow rate of stormwater runoff resulting from new subdivision and development activities.
  - a. Concentrated stormwater runoff leaving a subdivision or development site must be discharged directly into a well-defined natural or man-made receiving channel or pipe. If there is no well-defined receiving channel or pipe, one must be constructed to convey stormwater to the nearest adequate channel. Increased volumes of unconcentrated sheet flows which will cause erosive action or sedimentation on adjacent properties shall be diverted to a stable outlet or detention facility. Adequacy of channel design shall be verified by the Town.

- b. Each stormwater management/Best Management Practices (BMP's) plan shall require that peak rate and velocity of runoff be controlled and that land and receiving waterways which are downstream from the land development be protected from stormwater runoff damage, as provided herein:
    - [1] To protect downstream properties and receiving waterways from flooding, the ten-year post-development peak rate of runoff from the land development shall not exceed the ten-year predevelopment peak rate of runoff.
    - [2] To protect downstream properties and receiving waterways from channel erosion, the two-year post-development peak rate and velocity of runoff from the land development shall not exceed the two-year pre-development peak rate and velocity of runoff.
    - [3] If the land development is in a watershed for which a hydrologic and/or hydraulic study has been conducted or a stormwater model developed, the Town Engineer may modify the requirements of paragraphs 1) and 2) so that runoff from the land development is controlled in accordance with the findings in the study or model, or to prevent adverse watershed stormflow timing, channel degradation, and/or localized flooding problems.
    - [4] In addition to the requirements of paragraphs 1) and 2), the Town Engineer may require that the plan include additional measures to address damaging conditions to downstream properties and receiving waterways caused by the land development.
    - [5] Pre-development and post-development runoff rates determined using methods consistent with the requirements identified in the current Virginia Department of Environmental Quality (DEQ) Stormwater regulations and guidelines.
  - c. In the event that any existing off-site receiving channel is to be employed for subdivision or development runoff but said channel does not conform to the requirements of this chapter, the applicant shall:
    - [1] Obtain permission from downstream property owners and improve the receiving channel so as to bring it into compliance. Such drainage improvements shall extend downstream until an adequate channel section is reached.
    - [2] Develop a site design that will not cause an increase in the existing predevelopment peak runoff rate for ten-year storms. Such a design may be accomplished by enhancing the stormwater infiltration capacity of the site or by providing on-site stormwater detention measures. The estimation of pre-development and post-development peak runoff rates shall be verified by engineering calculations submitted to the Town.
    - [3] Provide a combination of channel improvement, stormwater detention or other measures satisfactory to the Town designed to prevent overflow and to prevent channel erosion.
  - d. All channel improvements or modifications shall comply with applicable laws and regulations. Modifications to flowing waterways shall be performed in accordance with Best Management Practices for Hydrologic Modifications, Virginia State Water Control Board Planning Bulletin 319, 1979, or as may be subsequently amended.
4. *Drainage easements and fencing.*
- a. Where a subdivision or development is traversed by a watercourse, drainageway, channel or stream, the Town shall be granted a drainage easement, conforming to the line of such watercourse, drainageway, channel or stream, of such width as required under Section 148-840.E, to preserve the unimpeded flow of natural drainage or such additional width as may be necessary to provide for the widening, deepening, relocation, improvement or protection of the watercourse and drainage facilities.

- b. All stormwater outlet pipes installed on residential lots shall extend to a point beyond the buildable area of the lot.
- c. Dedicated drainage easements shall be granted to the Town for all stormwater management facilities. Fencing of stormwater drainage facilities designed to retain or detain runoff may be required by the Town for facilities exceeding twenty-five percent (25%) side slopes or water depth of three (3) or more feet. When fencing is required, a fifteen-foot wide gate shall be installed at the access point to the facility.
- d. All stormwater drainage systems that depend on off-site channels or conveyances shall secure an easement for the channel to an adequate public facility designed to receive stormwater runoff, and shall include any necessary improvements required for adequate conveyance of stormwater runoff to the nearest public facility, be it a ditch, sewer or pond.
- e. All designs for stormwater management facilities shall be reviewed by the Town Engineer to verify compliance of the requirements within this Chapter.

E. *Utility Easements.*

- 1. Utility easements with a minimum width of ten (10) feet for underground electric facilities and twenty (20) feet for overhead electric facilities shall be dedicated to the Town for all electrical facilities and appurtenances intended to service subdivisions or developments. Easements for water, sanitary sewer, and stormwater facilities shall be dedicated to the Town with the following minimum widths:

**TABLE 148-840.E.**

System	Minimum Easement Width
Open Stormwater Channel	20'
Up to 33" Pipe	20'
34"—48" Pipe	25'
49"—72" Pipe	30'

For trench depths greater than six (6) feet, the easement width shall be increased by an additional five (5) feet for each incremental five (5) feet of depth. Additional easement width shall be required for areas of steep slopes as required by the Town.

- 2. To the fullest extent possible, utility easements shall be centered on or adjacent to side lot lines.
- 3. Utility easements shall be granted in accordance with the specifications and requirements of appropriate utility companies.

F. *Underground Wiring and Electric Service.*

- 1. All electric, telephone, television and other communication lines, both main and service connections, installed for new subdivisions or developments shall be made by underground wiring. Underground wiring shall be contained within a single unified utility easement located under dedicated public rights-of-way or other public easements. The Town Council may waive the requirements of this section only where the substantial presence of rock at a depth of less than four (4) feet below finished grade makes the installation of underground wiring impractical.
- 2. The location of all lines and facilities shall be subject to the approval of the Town of Front Royal. Except where street crossings are required or where otherwise approved by the Town, underground electric lines shall not be located beneath street pavement, structures or other dedicated improvements and generally shall be located in a ten-foot easement parallel to the street right-of-way.
- 3. Lots and development that abut easements where there are existing overhead electric or communication distribution supply lines or service connections may be supplied with service from these overhead lines, but the service connections to these overhead lines shall be installed

underground. In the event that existing overhead lines are replaced or relocated in the course of subdivision development, the replaced or relocated lines shall be installed underground, unless the section so replaced or relocated is, in the determination of the Town, too insignificant to make underground installation practical.

4. Where overhead lines are permitted by the Town, the placement and alignment of the poles shall be designed to lessen the visual impact of the overhead lines. Alignments and pole locations shall be carefully routed to avoid locations along horizons. The clearing of swaths through areas of trees shall be avoided by selective cutting and staggered alignment. Trees shall be planted in open areas and at key locations to minimize the alignment of poles.
5. The subdivider, developer or builder shall be responsible for all engineering, trenching, backfilling and installation and expense of conduits for the underground electric system. All conduits shall be fitted with pull wires for the electric conductor. Conductors shall be Schedule 40 PVC or such other quality material as may be approved by the Town of Front Royal. Primary line conduits shall be three (3) inches in diameter. Secondary line conduits and conduits used for street crossings shall be four (4) inches in diameter. All work, design and material shall be in accordance with the conditions and specifications of the Department of Energy Services.
6. The Town of Front Royal shall supply and install electrical conductors and such transformers, pedestals and other electrical equipment, except as otherwise stated in this Chapter, as are necessary for the operation of the underground electric system. In the event that the conduit pull wire should break prior to or in the course of line installation, for whatever reason, it shall be the subdivider's sole responsibility to replace the pull wire within the conduit at his own expense.
7. The Town shall supply up to one-hundred twenty-five (125) feet of conductor for each lot from the pedestal to the electric meter located on the lot's structure. The builder of said structure shall pay for all conductor over one hundred twenty-five (125) feet. In addition, the builder shall be responsible for all trenching and backfilling and shall supply three-inch Schedule 40 PVC conduit with pull wire from the pedestal to the electric meter installed on the lot's structure, and schedule 80 PVC conduit for all sweeps. In addition, a slip joint shall be installed between the last elbow and the bottom of the meter base. Should the conduit pull wire break, the builder shall be responsible for replacement of the pull wire at his sole expense. All work and materials shall be in accordance with the conditions and specifications of the Department of Energy Services. Electric meters shall be furnished and installed by the Town of Front Royal.
8. All underground electric systems shall include connections for streetlight poles located every three hundred (300) feet along subdivision streets. Pole location shall be subject to the approval of the Town of Front Royal. Except where otherwise approved, pole location shall be staggered on the opposite sides of the street. No overhead wires shall be permitted to serve streetlights. All streetlights poles and bases shall be equipped with wiring and connections to the underground electric system and shall be in accordance with the conditions and specifications of the Department of Energy Services. Streetlight poles and bases shall be supplied and installed by the subdivider or developer at his sole expense, or, at the Town's option, streetlight poles and bases may be installed by the Town of Front Royal at the subdivider's or developer's expense. All pole lights shall be supplied and installed by the [subdivider or developer]. The Town retains complete discretion as to when and if streetlight poles and lights will be installed.
9. All materials and improvements comprising the underground electric system shall be dedicated to the Town of Front Royal and shall be depicted on the subdivision plat. A ten-foot-wide easement shall be dedicated to the Town of Front Royal for the operation, maintenance and repair of the underground electric system.

## **148-850 STREET IMPROVEMENTS**

### **A. *Streetlights.***

1. Streetlights shall be installed to illuminate streets and other public highways. The installation of streetlights shall be accordance with the design standards and specifications of the Town.
2. Streetlights shall be spaced at a maximum of three hundred (300) feet apart and staggered on opposite sides of the street with one streetlight every six hundred (600) feet on both sides of the road.

B. *Monuments.*

1. *Street Monuments.* Street right-of-way lines shall be marked at all points of tangent and points of curve with a steel rod or iron pipe not less than one-half-inch in diameter and eighteen (18) inches in length. Following completion of road work, a steel rod or iron pipe shall also be placed at street centerline, centerline points of tangent and points of curve and the radius point of each new cul-de-sac.
2. *Corner Monuments.* All lot corners shall be marked with a steel rod or iron pipe not less than one-half-inch in diameter and eighteen (18) inches in length, driven flush with the finished grade.
3. In the event a steel rod or iron pipe cannot be set due to an obstruction, an offset monument may be set or the point may be marked by drill hole, chisel mark or other method deemed appropriate by the professional and so documented to the Director.
4. All required monuments shall be installed by the subdivider or developer. Upon completion of subdivision streets, sewers and other improvements, the subdivider or developer shall make certain that all monuments required by the Town are clearly visible for inspection and use. All monuments must be set before any site or street improvements are accepted by the Town.

C. *Curb and Gutter.*

1. Curbs and gutter shall be required for the purpose of drainage and safety and delineation and protection of the pavement edge. Curbs and gutters and all driveway entrances shall meet the design standards found within the *Construction Standards and Specifications Manual*.
2. Curbs and gutters shall be installed by the applicant along both sides of all new streets. For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This requirement may be waived upon approval by Town Council in residential areas where the majority of surrounding developed properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive curb and gutter for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where curb and gutter is not currently present within two hundred (200) feet of the property.

D. *Sidewalks.*

1. Sidewalks shall be installed by the applicant along both sides of all new streets. For subdivisions involving the creation of an additional lot and for all new development projects, sidewalk sections shall be required along the frontage of all existing public streets. This requirement may be waived on vote of the Town Council in residential areas under the following conditions: where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive sidewalks for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where sidewalks are not currently present within one thousand (1,000) feet of the property.
2. The minimum design standards for sidewalks shall be at least six (6) feet in width when abutting the curb, and a minimum of five (5) feet when offset from the curb. For the latter, the land located between the sidewalk and the curb shall comply with the Construction Standards and Specifications.

3. Sidewalks shall normally be parallel to the street. Nonparallel sidewalks and/or walkways may be approved by the Town in order to preserve topographical or natural features and to provide visual interest.
  4. Where pedestrian walkway systems have been approved as an alternative to sidewalks, the walkways may be located away from streets, linking groups of dwelling units with other groups of dwelling units and/or facilities such as parking areas, recreational areas and activity centers. In reviewing the location of alternative walkway systems, the Town shall consider safety, practical accessibility and aesthetics.
  5. Public easements shall be granted for sidewalks and/or walkways located outside the public right-of-way.
  6. All sidewalks shall be constructed in accordance with Town standards and specifications and shall conform to the requirements of Code of Virginia § 15.2-2021, as amended, requiring curb ramps for the handicapped. Curb ramps shall comply with the Virginia Department of Transportation's Road and Bridge Standards.
- E. *Solid Waste Disposal and Collection.*
1. All developments with exterior trash disposal or collection areas shall locate these sites so as to facilitate collection and minimize the negative impact on residents, neighboring properties and public rights-of-way.
  2. All visible trash disposal or collection and storage areas shall be screened from neighboring residential properties and from public property, including streets, parks, sidewalks and other public areas.
  3. Screening shall consist of a combination of landscaping and fencing. A solid wood or masonry fence at least six (6) feet in height shall be provided on three (3) sides, with a solid opaque gate on the fourth side. Landscaping shall be incorporated to improve the visual appearance.
  4. All permanently installed trash containers shall be adequately sized to handle the needs of the facility or development and shall be equipped with fitted lids to prevent odor leakage and infestation from rodents, insects, and other pests.

## **148-860 ENVIRONMENTAL IMPROVEMENTS**

- A. *Steep Slopes.*
1. *Purpose:* Steep slopes, when developed, require more grading and land disturbance than development of flat to gently sloping topographical areas. Therefore, the purpose of this section is to establish protective regulations to:
    - a. Minimize soil disturbance on steep or critical slopes due to the potential for erosion problems;
    - b. Assist in the prevention of soil erosion from stormwater runoff, protect downstream buildings and yards from water and soil intrusion, and protect the Town's surface and groundwater resources from siltation and contamination;
    - c. Promote stable building sites that prevent soil erosion and are structurally sound so as to maintain slope stability;
    - d. Promote accessibility for fire and rescue apparatus;
    - e. Maintain the visual and environmental resources that are part of the character of Front Royal; and
    - f. Land deemed by the Director to be generally unsuitable and land subject to flooding, slope instability, collapse, or other natural hazard shall not be subdivided either for residential occupancy, unless sufficient land is provided in each lot to provide a building site free from flood or other danger, or for such other uses as may increase danger to health, life, or property or

aggravate erosion or flood hazard. In this connection the Director may require the subdivider to furnish topographical maps, elevations, flood profiles, or other relevant data.

2. *Applicability:* All proposed subdivisions which result in the creation of an additional building lot or lots with the exception of boundary line adjustments, must submit a plan, in addition to any required subdivision development, street construction or erosion & sediment control plan, identifying predevelopment areas of steep slope. Clear cutting or grading for the purpose of altering predevelopment slopes shall not be permitted.
3. *Establishment of Steep Slope Areas:* The predevelopment slopes shall be computed by rise over run from naturally occurring contour lines based on topographic information showing two-foot contour intervals and based on NAVD 88 vertical datum. The topographic data may be field run or from aerial photography, provided the information is current and the contouring method provides the precision expected for the contour interval used.
  - a. *Identification of Steep Slope Areas:* Steep slopes areas are classified into one (1) of the following two (2) categories:
    - [1] All areas of slope between fifteen percent (15%) and twenty-five percent (25%) which contain highly erodible, highly permeable or shrink-swell soils. Determination of soils which are highly erodible, highly permeable or shrink-swell shall be based on the USDA Soil Conservation Service Soil Survey of Warren County, Virginia, or based on soils analysis prepared by a geotechnical engineer or other appropriate licensed professional.
    - [2] All areas of slope greater than twenty-five percent (25%).
  - b. *Minimum Size of Steep Slope Area:* Steep slope standards do not apply to isolated steep slope areas that are less than five thousand (5,000) square feet in land area. For the purposes of this provision, the entire contiguous area of the steep slopes shall be included in the minimum size calculations, regardless of the number of individual lots or different land ownerships involved.
4. *Creation of Slope Overlays:* The plan identifying steep slopes and critical slopes must include overlays over the entire tract involved identifying by color coding the following:
  - a. All areas of slope between fifteen percent (15%) to twenty-five percent (25%) which contain highly erodible, highly permeable or shrink-swell soils.
  - b. All areas of slope greater than twenty-five percent (25%).
5. *Plan Requirements:* An overlot grading plan, prepared by a professional licensed by the State of Virginia to prepare such a plan, for the development, management, stabilization and preservation of steep slope areas shall be prepared in accordance with the detail requirements of Town Code Section 148-42, Steep Slopes, of the Town of Front Royal Subdivision Ordinance, in accordance with the conditions shown on the approved overlot grading plan and/or geotechnical report filed with the applicable and appropriate subdivision application.

The final subdivision plat showing any lot or portion of any lot located within a steep slope overlay area must contain a note stating that the property shown hereon is subject to the provisions of Section 148-42, Steep Slopes, of the Town of Front Royal Subdivision Ordinance, in accordance with the conditions shown on the approved overlot grading plan and/or geotechnical report filed with the applicable and appropriate subdivision application.
6. *Building Site Requirements:* In addition to the requirements of the grading plan described herein, the plan shall include the following standards:
  - a. Site development shall be designed in a manner that requires a minimum amount of alteration to the steep slope.
  - b. Existing vegetation shall be preserved to the maximum extent possible.

- c. No finished slopes are to be created with a final grade greater than fifteen percent (15%) unless deemed feasible by a geotechnical report.
  - d. Residential driveway grades exceeding ten percent (10%) are not recommended. Residential driveway grades greater than ten percent (10%) shall be constructed in conformance with Virginia Department of Transportation's (VDOT) standard CG-9 or other applicable entrance detail requirements. Commercial or industrial driveway grades shall be constructed in conformance with VDOT standard CG-11 or other applicable entrance detail requirements. All driveways shall have a nonerodable surface treatment, such as asphalt or concrete pavement. Side slopes for driveway cuts shall not exceed twenty-five percent (25%), (4:1) unless deemed feasible by a geotechnical report.
  - e. Use of retaining wall is encouraged to reduce the steepness of man-made slopes and to provide planting pockets conducive to vegetation and landscaping. All retaining walls shall require an engineered design with the exception of non-tiered retaining walls with level backfill and no surcharge loading with a height of twenty-four (24) inches, (2.0 feet) or less from the finished grade. Retaining walls shall not exceed seventy-two (72) inches, (6.0 feet) in height from the finished grade, however, the Town Council, at its discretion, may waive the maximum height requirement for retaining walls located within non-residentially zoned areas. This provision is not intended to preclude a structure's foundation or basement wall or the creation of a walkout basement.
  - f. Landscaping and plantings shall be in accordance with Town Standards.
7. *As-Built Plan Required:* A post construction as-built survey of the approved steep slope overlot grading plan shall be required prior to the issuance of an approved occupancy permit. The as-built drawings shall clearly show any changes or variations from the approved design, and if deemed significant by the Director, may require any such change or variation be brought into compliance with the approved plan. The as-built information shall be shown on the original plan and include the following:
- a. Horizontal variations greater than one (1.0) foot should be shown dimensionally or through plus stations. Horizontal variations greater than five (5.0) feet should also show the graphic relocation of the object. Vertical elevation variations greater than 0.1 feet shall be provided for all shown design elevations.
  - b. All as-built information shall be shown on the original plan either as blocked in or drawn in a different text style or font from that as shown on the original plan.
  - c. Each sheet of the plan shall contain the words "AS-BUILT" in bold text on or near the title block.
  - d. Date, plan legend, bar scale and north arrow.
  - e. Retaining walls. Indicate type and show elevations of the top of wall and the lowest adjacent finished grade.
  - f. Curb cut, driveway and material. Centerline grade of driveway with spot elevations.
  - g. Spot elevations of graded areas to determine grade of finished slope. Highlight all areas of finished slopes exceeding design grade by more than one percent (1%).
  - h. Horizontal location with dimensions of all structures with dimensions including porches, decks, garages, etc. Show vertical elevations of first floor and basement floor.
  - i. Horizontal and vertical location of roof drains, foundation drains and other drainage outlets. Locations of utility services.
  - j. Location of required plantings.
  - k. The final as-built plan must be stamped by Licensed Land Surveyor or Professional Engineer and include certification that the as-built plan is substantially in conformance with the original plan. If

a geotechnical report is used, the appropriate licensed professional must certify that the as-built is in conformance with the report.

8. *Exemptions:* Except as otherwise provided herein, no disturbance of steep slopes will be allowed except for the following activities which may be permitted by exemption from the Director of Planning and Zoning:
  - a. Utility service lines, walkways, steps, landings.
  - b. Emergency action to remediate an unstable slope which poses an imminent threat to health, safety or welfare of the public.
  - c. Normal landscape maintenance or routine arboreal activities, including small scale planting of ornamental flowers or shrubs, and/or the removal of diseased or damaged trees, and/or the removal of undesirable trees, provided revegetation is in conformance with Town Standards.
  - d. Disturbance for public roadway or street crossings, or other public purposes as determined by the Director of Planning.
  - e. Construction of approved landscaping berms, drainage ditches or swales, ponds and dams and other required storm drainage conveyance facilities.
- B. *Erosion and Sediment Control.* All land disturbing activities shall conform to the requirements of the latest requirements of the Virginia Department of Environmental Quality (DEQ) and the Virginia Stormwater Management Handbook.
- C. *Preservation of Natural Features.* The arrangement of lots, blocks, streets, parking areas and structures shall be designed to make the most advantageous use of topography and natural physical features. Tree masses and large individual trees shall, whenever possible and consistent with the provisions of this chapter, be preserved. In accordance with the Code of Virginia § 15.2-2245.1, the removal of trees to create stormwater management ponds or facilities may be permitted. Any system of sidewalks, roadways and lot layout shall be designed to take advantage of the visual qualities of the area.
- D. *Floodplain Regulations.*
  1. Land within a 100-year floodplain may be platted, provided that such lands are not used to meet the minimum required lot size and are designated on the plats as a floodplain easement area and that the subdivision would not necessitate changes to topographic conditions that alter the floodway district.
  2. All development within floodplain areas, as established by Chapter 175, Sections 76 through 78 of the Town Code, including dam and impounding structure break zones, shall be subject to the regulations of Chapter 175, Sections 74 through 81.3 of the Town Code.
  3. Except where floodplain development is permitted, floodplain areas shall be maintained in their natural state.
- E. *Landscaping.* All major subdivisions and developments meet the landscaping requirements found under Chapter 156 of the Town Code, including, but not limited to, screens and buffers, development tree plantings, street trees, and parking lot landscaping.
- F. *Light and Air.*
  1. All outdoor lighting fixtures shall be arranged or shielded to direct, or reflect, light away from adjoining residential uses.
  2. Where a site development plan is required, new outdoor lighting fixtures shall be designed, constructed, and operated to meet the International Dark-Sky Association (IDA) design standards or certifications for lighting; except that, the Planning Director may authorize alternative design standards or certifications that reasonably achieve the purpose of controlling the spillover of light onto adjacent properties and the sky, and protecting the public safety by preventing glare from outdoor light.

3. All outdoor lighting that produces harmful electromagnetic energy, including arc welding or acetylene torches, shall be completely screened from view sufficiently to be imperceptible beyond the lot lines.
4. All development shall conform to the regulations of the Virginia State Air Pollution Control Board concerning the emissions of smoke, particulate matter, odors and other gaseous pollutants.
5. All development shall comply not exceed the maximum height and setback regulations of the underlying zoning district, as found under Chapter 175 of the Town Code.

## 148-870 PARKING AND LOADING AREAS

### A. *Parking Areas.*

1. Off-street parking shall be provided in accordance with this subsection on every lot or parcel on which any use is established or expanded.
2. Based on the type of use, the minimum quantity of required off-street parking spaces is show in the following table:

**TABLE 148-870.A.2**

<b>TYPE OF USE</b>	<b>REQUIRED OFF-STREET PARKING SPACES</b>
Residential	Two (2) parking spaces per dwelling unit.
Motels/hotels	One (1) parking space per room and one (1) additional parking space for every ten (10) rooms.
Lodging/boarding/bed and breakfasts	One (1) parking space per room and an additional two (2) parking spaces for employees.
Shopping Centers	Five (5) parking spaces per one thousand (1,000) gross square feet for every shopping center facility ten thousand (10,000) square feet in size or less. Four (4) parking spaces per one thousand (1,000) gross square feet for every shopping center over ten thousand (10,000) square feet.
Commercial/retail	One (1) parking space per two hundred (200) gross square feet.
Furniture/appliance/lumber and building supply	One (1) parking space per four hundred (400) gross square feet.
Wholesale, storage and contractor's facilities	One (1) parking space per one thousand (1,000) gross square feet for nonpublic areas. One (1) parking space per one hundred (100) net square feet for public sales areas.
Self-service storage facilities	One (1) parking space per twenty (20) individual units, and one (1) additional space per three hundred (300) gross square feet of office area.
Art galleries/museums	One (1) parking space per three hundred (300) gross square feet.
Professional offices	One (1) parking space per three hundred (300) gross square feet.
Medical/dental offices	One (1) parking space per two hundred (200) gross square feet.

Indoor recreation facilities	One (1) parking space per two hundred (200) gross square feet.
Bowling alleys	Three (3) parking spaces per alley.
Outdoor recreation facilities	One (1) parking space per two hundred (200) net square feet of improved area.
Personal service facilities	One (1) parking space per two hundred (200) gross square feet.
Churches/theaters/other assembly buildings/auditoriums	One (1) parking space per four (4) fixed seats in the main assembly area or one (1) parking space per one hundred (100) net square feet.
Day-care/nursery facilities	One (1) parking space per employee and one (1) parking space for every ten (10) children.
Nursing homes	One (1) parking space for every four (4) beds, and one (1) parking space per employee.
Hospitals	One (1) parking space for every two (2) beds, and one (1) parking space for each employee, excluding medical doctors.
Funeral homes	One (1) parking space for every four (4) fixed seats or one (1) parking space per one hundred (100) square feet net visitation area, plus five (5) employee parking spaces.
Restaurants (sit-down)	One (1) parking space for every four (4) seats.
Restaurants (carry-out)	One (1) parking space per fifty (50) net square feet of customer service area.
Restaurants (drive-through)	Three (3) parking spaces plus stacking lanes for six (6) vehicles.
Industrial Uses/Office Component	One (1) parking space per three hundred (300) gross square feet of office area.
Industrial Use/Manufacturing/Distribution Areas	One (1) parking space per employee and one (1) space for every vehicle used on-site, plus one (1) parking space per delivery/loading bay.
Automobile/motor vehicle service facilities	Two (2) spaces per service bay or two (2) spaces for every three hundred sixty (360) square feet. Every such facility shall have a minimum of three (3) parking spaces.
Car sales/rental facilities	One (1) parking space per each two thousand five hundred (2,500) square feet of open sales display area and one (1) parking space per employee. In addition, there shall be two (2) parking spaces per service bay or two (2) parking spaces for every three hundred sixty (360) square feet of service bay area. There shall be a minimum of three (3) spaces for the service bay areas of these facilities.
Car wash (self-service)	One (1) parking space for drying vehicles, plus two (2) stacked spaces per car wash bay.

Car wash (automatic)	Two (2) parking spaces for drying vehicles, plus five (5) stacking spaces per car wash bay.
Libraries	One (1) parking space per one thousand (1,000) gross square feet.
Public/private schools	One (1) parking space per employee, plus parking space for school auditoriums as noted above for auditoriums.
Greenhouse and landscape nursery facilities	One (1) parking space per four hundred (400) square feet of structured public selling area; one (1) parking space per one thousand (1,000) square feet of greenhouse/warehouse/plant storage areas; and one (1) parking space for each company vehicle.
Veterinary hospitals and kennels	One (1) parking space per three hundred (300) gross square feet.

3. When a use is not specifically listed above, the Director shall determine which of the above categories to use to determine the spaces required, based on similarities between the characteristics of the uses. When a use is not specifically listed above, the Director may also use information provided by the applicant or other sources of information to determine the number of spaces required.
4. Off-street parking areas shall be oriented to the buildings they are designed to serve and shall be within three hundred (300) feet walking distance. Before off-site parking facilities are approved, a written agreement thereto assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, and approved as to form by the Town Attorney, and for compliance with the requirements of this Chapter by the Director.
5. The Access to off-street parking areas shall be designed so as not to obstruct the free flow of street traffic. There shall be adequate provision for ingress and egress to ensure ease of mobility, ample clearance and the safety of vehicles and pedestrians. For corner lots, the distance from the centerline of the parking lot entrance to the curblin e or pavement edge of the street intersection shall be adequate to, in the opinion of the Director, provide a safe and sufficient margin for normal traffic patterns and pedestrians at or about the intersection in question.
6. Up to twenty percent (20%) of the total number of required off-street parking spaces may be designated for compact cars if signage is posted in front of the space to notify vehicles that the space is only for compact vehicles.
7. With the exception of off-street compact car spaces, and off-street parallel spaces, off-street parking spaces shall include an area of not less than one hundred sixty-two (162) square feet (9' x 18'). Compact car spaces shall include an area not less than one hundred forty-four (144) square feet (8' x 18').
8. The width of all interior parking lot aisles providing direct one-way access to individual parking spaces shall be as follows:

**TABLE 148-870.A.8.**

<b>Parking Angle (degrees)</b>	<b>Aisle Width (feet)*</b>
30	12
45	15
60	18
90	22

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**\*The minimum width of all interior parking lot aisles designed for two-way traffic flow shall be twenty (20) feet, except where ninety (90) degree aisles are used, which shall require twenty-two (22) feet.**

9. A parking space shall be at least three (3) feet from a side or rear property line, except where the parking is designed to be shared by the abutting property. No parking space for multiple-family dwelling shall be less than ten (10) feet from a residential structure.
10. Parking areas shall be setback a minimum of five (5) feet from any building or structure. This setback area may be used for sidewalks or landscaping.
11. Parking space already provided to meet off-street parking requirements for stores, office buildings and industrial establishments lying within three hundred (300) feet of the place of public assembly, as measured along lines of public access, which are not normally in use on Sundays or between the hours of 6:00 p.m. and 12:00 midnight on other days may be used to meet not more than seventy-five percent (75%) of the off-street parking requirements of a church or other similar place of public assembly.
12. Any flea market, farmers' market or other open-air commercial activity not listed above shall provide one (1) parking space for each one hundred (100) square feet of land to be used by said flea market, farmers' market or other commercial activity in its open-air operations. The amount of land to be used shall be designated by the respective open-air business in its application for a special permit. If no special permit is required under this chapter, the land to be used shall be designated in the application for a business license. No business shall then use more land than has been designated in its application for special permit or business license without the filing of a new application for a special permit or business license as required herein and then complying with the parking space requirements of this section.
13. For every commercial or industrial parking area located within fifteen (15) feet of the side or rear boundary of a residentially zoned lot or a lot with a residential use, an opaque ornamental fence or masonry wall with a minimum height of four (4) feet shall be erected and maintained. The provisions of this section shall not compel such fence or wall to extend into the required front yard of the premises.
14. Parking areas, including aisles and maneuvering areas, shall be paved with bituminous concrete, or similar hard surface material. The Director may approve stone, in lieu of pavement, for parking areas of no more than four thousand five hundred (4,500) square feet in size.
15. Lights used to illuminate parking areas shall be arranged and shielded to minimize light pollution to adjoining properties.
16. All parking areas shall meet the landscaping requirements of Section 156-6 of the Town Code.
17. Off-street parking shall not be required on any lot located within the Town of Front Royal's Historic District.
18. As with the other standards of this chapter, off-street parking requirements may be waived by administrative variance, in accordance with Section 148-211 of this Chapter.
19. Off-street parking requirements shall be waived by the Zoning Administrator for expansion of an existing use for any property located within the Historic Front Royal District where the following criteria are met:
  - a. The development activity proposed includes the retention and/or the substantial renovation of a contributing structure in the district.

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- b. The square footage of additions or new construction shall not be more than twice that of the original structure.
  - c. The proposed project has been found by the Board of Architectural Review to be in keeping with the scale of development in the surrounding area and with the character of the district as a whole.
  - d. All efforts have been made to provide parking whenever possible.
20. Alleys shall be upgraded to a minimum pavement width of twenty-four (24) feet when they are used as the primary access to parking areas, excluding individual parking for single-family, two-family, and duplex uses.
21. Existing parking facilities shall be maintained in a safe condition, including the repair of damaged areas, restriping, and resurfacing when necessary.
- B. *Loading Areas.*
- 1. On the same premises with every building, structure or part thereof erected and occupied for uses involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, turning, loading and unloading services in order to avoid interference with public use of the streets and alleys.
  - 2. Loading areas shall be a minimum of fifteen (15) feet wide and fifty-five (55) feet in length, with a minimum clear height of fifteen (15) feet. An off-street truck loading space shall be provided at a rate of one (1) space for the first ten thousand (10,000) square feet or less of gross floor area, plus a minimum of one (1) additional space for each additional forty thousand (40,000) square feet of gross floor area or part thereof. For the purpose of this section, "gross floor area" shall also include gross outdoor storage area, whether covered or uncovered.

#### **148-880 COMPLETION OF REQUIRED IMPROVEMENTS**

- A. It shall be the responsibility of the subdivider/developer to complete all required site improvements prior to final plat approval, except when a development surety is accepted by the Town, in accordance with Section 148-890.
- B. All required site improvements shall be completed at the expense of the subdivider/developer, including all required engineering and legal expenses necessary for construction and dedication, except where the subdivider and the Town enter into a cost-sharing or reimbursement agreement.
- C. All required site improvements shall be constructed in compliance with the approved final plat, subdivision development plan, overlot grading plan and/or site development plan, and the Town's Construction Standards and Specifications Manual, as may be periodically amended.
- D. All required improvements shall be constructed only upon the issuance of a permit(s) by the agent of the Town. Such a permit, or permits, of the Town shall be conducted solely to determine compliance with the requirements and specifications provided by law and the approved site development plan, subdivision development plan, overlot grading plan and/or final plat. The submittal of any application required by this chapter shall constitute consent by the subdivider/developer to all officers and employees of the Town, the service authority, and any other authority, and any state department or agency, reasonable administrative and enforcement of this chapter to enter upon the property at all reasonable times for the purpose of making periodic inspections related to application or plan review, or inspection of improvements.
- E. The subdivider shall certify to the agent of the Town that all of the construction costs for the improvements, including those for materials and labor, have been paid to the person constructing the improvements, or at the option of Town Council, shall present evidence satisfactory to Town Council that the time for recordation of any mechanics lien has expired or evidence that any debt for said construction that may be due and owing

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is contested and further provides indemnity with adequate surety in an amount deemed sufficient by Town Council, or its designated administrative agent.

- F. When a developer's surety is provided in accordance with Section 148-890, all required site improvements shall be completed within one (1) year from issuance of the first zoning permit, or such other period of time as may be approved by the Town or mandated by the Virginia Code, up to a maximum of five (5) years from the time of final plat approval. Any extension of time beyond such one (1) year period shall require the annual reevaluation of construction estimates and the amount of surety. The designated agent shall be authorized to grant an extension of time up to two (2) years from the date of final plat approval. Any extension of time granted beyond two (2) years from the date of final plat approval shall only be granted upon approval by Town Council. Failure to complete all required improvements within the applicable time period shall be a forfeiture of the bond or other security by the subdivider to the Town for completion of the required improvements.
- G. Upon completion of required site improvements, and as a condition of the acceptance thereof by the Town and the release of performance bonds, or other securities, the subdivider or developer shall provide the Town with as-built plans, consistent with the detail requirements of Section 148-890.I.
- H. Nothing in this chapter, including the approval of the final plat, shall obligate the Town, an authority, or a state agency or department to accept and take over for operation and maintenance any improvements completed by a subdivider/developer as required by this chapter. Acceptance or approval of an improvement shall be made only if the improvement satisfies all applicable statutes, regulations, ordinances, guidelines and design and construction standards for acceptance or approval of the improvement, upon completion of inspections.

#### **148-890 DEVELOPMENT SURETY**

- A. In lieu of completion and acceptance by the Town of all required improvements, as determined by the approved site development plan, subdivision development plan, overlot grading plan or final plat, a developer shall provide a development surety, such as a performance bond, cash escrow or letter of credit, for the purpose of ensuring that the required site improvements are satisfactorily completed within a time period agreed upon by the Town. The amount of the development surety shall be calculated by the Town Engineer based on the projected cost of installation of the improvements. The amount of such development surety shall not exceed the total of the estimated cost of construction based on unit prices for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs, inflation, and potential damage to existing roads or utilities, which shall not exceed twenty-five percent (25%) of the estimated construction costs, except in circumstances when Code of Virginia § 15.2-2241.A.5 requires localities to limit such estimated costs to ten percent (10%). Such development surety shall be payable to and held by the Town, in a form approved by the Town Attorney. No development security shall be terminated without the Town's consent, nor without at least sixty (60) days' notice to the Town.
- B. No site development plan, subdivision development plan, overlot grading plan and/or final plat that is subject to a development surety shall be approved, nor a building or land disturbance permit issued for development, until the development surety instrument for that particular development, or phase of development, has been submitted and certified by the Director as being consistent with the indemnification and other requirements and format of the Town.
- C. Upon completion of part or all of the individual facilities covered by a development security, the subdivider/developer may request for a partial or final release of the development surety, as provided below:
  - 1. All requests from the subdivider/developer shall be submitted in writing.
  - 2. The Director of Planning shall make periodic partial releases of the development surety as provided in Code of Virginia § 15.2-2245.

3. Periodic partial releases may not occur before the completion of at least thirty percent (30%) of the public facilities covered by any bond, escrow, letter of credit, or other performance guarantee. The governing body or administrative agency shall not be required to execute more than three (3) periodic partial releases in any twelve-month period.
  4. Within thirty (30) days after receipt of a written notice by the subdivider/developer of completion of part or all of any improvements required to be constructed by this chapter, the Director of Planning shall respond in writing to the subdivider in one (1) of the following ways: (i) grant the partial or final release, if the applicable state agency, department or any applicable authority or other entity has accepted the improvements; or (ii) inform the subdivider that the improvement has not been accepted by the applicable state agency, department, authority or other entity and/or identify any specified defects or deficiencies in construction and suggested corrective measures.
  5. If the Director of Planning fails to take action within the thirty-day period, the request of the subdivider/development shall be deemed approved and a partial release shall be granted. No final release shall be granted until after expiration of the thirty-day period and there is an additional request in writing sent by certified mail by the subdivider to the Town Manager. If the Town Manager fails to take action on the request within ten (10) working days of receipt of the request, it shall be deemed approved and final release shall be granted to the subdivider.
  6. No development surety shall be reduced to less than ten percent (10%) of the original development surety amount.
- D. Upon final completion and acceptance or approval of the site improvements and upon receipt from the subdivider/developer of a certification of final completion from a professional engineer, land surveyor, or Planning Director, the Planning Director shall release any remaining development surety to the subdivider/developer. A public improvement shall be deemed to be accepted when it is accepted by and taken over for operation and maintenance by the Town, an authority, or state agency or department responsible for maintaining and operating the improvement.
  - E. For the acceptance of site improvements by the Town, the Town may require a maintenance bond in an amount determined reasonable by the Director not to be held for a period of time over twelve (12) months, for the purpose of ensuring that all facilities meet the requirements of the Town Code. For the purpose of final release, the term "acceptance" is deemed to mean when said public facility is accepted by and taken over for operation and maintenance by the Town or such other public authority which is responsible for maintaining and operating such a facility upon acceptance.
  - F. For all securities issued pursuant to Subsection A and in an original amount of ten thousand dollars (\$10,000.00) or less, the Director hereby is designated as the Town Council's administrative agent for authorizing partial and final releases as set forth in Subsection C herein.
  - G. For the purpose of this section the terms "developer's securities" and "securities" shall mean any bond, escrow, letter of credit or other performance guarantee required by the Council in a form approved by the Town Attorney and in such amount(s) approved by the Director and/or the Town Engineer sufficient to guarantee the completion of public improvements shown on a subdivision development plan, final plat or site development plan and to be completed by the developer as part of the approval of a subdivision plat or site plan process.
  - H. Prior to any partial or full release of securities, the developer shall provide the Town with evidence that the plat has been recorded.
  - I. *As-built required.* Upon completion of all required improvements shown on approved site development plans and/or final plats, the owner or applicant shall submit and as-built drawing to the Director of Planning. The as-built shall be prepared in conformance with the as-built detail requirements of Section 148-1025. At least three (3) paper copies and a digital copy shall be submitted, which shall be certified by an engineer, architect or land surveyor. The "as-built plan" shall be submitted within a year of issuance of occupancy permits for the review and approval by the Town Engineer and the Director of Planning for conformity with the

approved site development plan, subdivision development plan, overlot grading plan and/or final plat, and the ordinances and regulations of the Town of Front Royal and state agencies. Final approval of the as-built by the Director of Planning, after review by the Town Engineer, shall be required before the final release of applicable development sureties to determine if the required site improvements were constructed in compliance with the approved site development plan, overlot grading plan, and/or final plat.

- J. The Town reserves the right to vacate previously approved and platted subdivisions as permitted under the Virginia Code.
- K. The Town may make use of the development surety if either: (i) the subdivider/developer fails to timely renew the development surety, when necessary to prevent the development surety from terminating, or (ii) the Planning Director, upon consultation with the Town Engineer and Town Attorney, determines that any of the improvements have not been completed in a timely manner and the completion of the improvements is deemed necessary to protect the public health, safety or general welfare.
- L. When a new street is incomplete, permits for new construction may not be issued to more than one (1) incomplete street segment at a time.

## **ARTICLE 9 PLAN AND PLAT DETAIL REQUIREMENTS**

### **148-905 SKETCH PLAN DETAIL REQUIREMENTS**

The sketch plan should be prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and should be drawn in on sheets no larger than eighteen by twenty-four (18x24) inches and no smaller than eight and one-half by eleven (8½ × 11) inches. The sketch plan should include the following:

1. All lands in the source tract and that which is in common ownership and contiguous to the source tract.
2. Significant topographical and physical features (steep slopes, floodplains, watercourses, wooded areas, wetlands, etc.).
3. The proposed general street and lot layout, with approximate dimensions.
4. Preliminary proposals for connection with the existing water supply and sanitary sewerage systems.
5. Preliminary provisions for collecting and controlling surface water drainage.
6. Other information as requested by the Director.
7. Preliminary traffic impact analysis.
8. North arrow with meridian reference on each sheet.
9. Scale of drawing, written and graphic, on each sheet.
10. Title Block requirements, on each sheet.
  - a. Plan type.
  - b. Owner's name.
  - c. Lot, block and subdivision name.
  - d. Town and County designation.
  - e. Sheet number.

- f. Plan date.
11. Cover Sheet (or first sheet) requirements:
- a. Index of sheets and match lines.
  - b. Name, address and phone number of plan preparer.
  - c. Zoning designation(s).
  - d. FEMA Flood Zone designations.
  - e. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
  - f. Tax map number and/or parcel identification.
  - g. Legend of symbols, abbreviations and line types used.

### **148-910 PRELIMINARY PLAN DETAIL REQUIREMENTS**

The preliminary plan shall indicate the proposed layout of the subdivision including supplemental information and data required for the location of proposed lots, parcels, streets, storm drainage and public utilities. The preliminary plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall reference design standards in Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the preliminary plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and drawn in ink on pages no larger than twenty-four by thirty six (24×36) inches unless otherwise approved by the Director. Plan view portions of the plan shall be drawn to scale and show the location of all proposed improvements. Profiles, if required, shall be submitted on standards federal aid plan and profile sheets and shall have a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical, unless otherwise approved. Special studies as required may be submitted on standard cross section paper at the above-noted scale and size. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. All dimensions, angular and linear, for locating property lines, lots, street centerlines, alleys, easements and other proposed improvements. Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. All curves shall be defined by their radius, arc length, central angle, tangent length, chord bearing and chord distance. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plan.
3. Proposed phasing of the subdivision, including maximum length of road segments for each phase, temporary street turnarounds and assurance of utility line continuity.
4. The total tract boundaries of the proposed subdivision and the source of title for all boundary information. Indicate if boundary information shown is based on a current field survey or based on deeds of record. When the property is of land acquired from more than one (1) source of title, the outlines of the several tracts shall be indicated by means of a dotted line or within an inset block.
5. Existing topography shown with a contour interval of not greater than five (5) feet and based on USGS datum. The source of the topography shall be identified.
6. Show proposed and existing water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Location of existing and proposed fire hydrant(s).

7. Show location, type, grade, and size of all proposed and existing sanitary sewers, manholes, gas lines, storm sewers, inlets, ditches, culverts and other utilities. Show location of proposed connections to existing utilities.
8. A conceptual plan for stormwater management and surface drainage on the entire proposed subdivision. Show proposed overlot grading with contours. Provide preliminary computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
9. All existing or proposed utility transmission lines, bridges, culverts and railroads.
10. Preliminary design of any proposed bridges or large culverts which may require review by other state or local agencies. The preliminary design must meet all applicable requirements of the appropriate state and local agencies and shall be submitted to such agencies by the applicant.
11. Building restriction setback lines with dimensions.
12. Lot numbers. All lots within each block shall be numbered consecutively.
13. Blocks consecutively numbered or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively throughout the several additions.
14. Names and widths of all proposed streets and the functional classification of each, along with a statement of any condition governing the use of the streets.
15. Names and/or route numbers of all existing roads or streets adjoining the property. Indicate if access is limited. NOTE: If the subdivision proposes a new street within three thousand (3,000) feet of an existing state road, the Virginia Department of Transportation (VDOT) must review all such streets.
16. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
17. Tie-in of proposed streets with existing streets. Show intersection sight distance.
18. Show any VDOT required improvements to existing streets or roads, if applicable.
19. Location, character, size, height and orientation of any required street sign or other proposed signage.
20. Typical street section of proposed street showing entire width of right-of-way, depth and type of pavement, base and subbase and curb line or ditch section, sidewalk and cut or fill slope.
21. Preliminary street centerline sight distance calculations.
22. The location and width of existing and proposed rights-of-way and easements and their intended use and purpose.
23. Soils map and soils data. Show location of any required test borings.
24. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit study, if required.
25. Approximate location of existing buildings on the property and within two hundred (200) feet outside of the perimeter boundary lines.
26. The location and area of any parcel of land proposed for non-residential use, such as a park or playground or other public use or for the use of the proposed subdivision lot owners. Indicate any conditions governing the use, dedication or preservation of such areas, including provisions for permanent maintenance.
27. The location of any cemetery, grave, object or other structure indicating a place of burial.
28. Show any historical buildings, structures or sites designated on the Virginia Landmarks Register that are located within or adjacent to the proposed subdivision.
29. Steep Slope analysis.



Town Council	Date
Director of Public Works	Date
Director of Energy Services	Date

**148-915 SUBDIVISION DEVELOPMENT PLAN DETAIL REQUIREMENTS**

The subdivision development plan shall show the location and design of proposed site improvements required for the subdivision. The subdivision development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall be designed in accordance with the requirements of Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the subdivision development plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals fifty (50) feet and drawn in ink on pages no larger than twenty-four by thirty-six (24x36) inches. Plan view portions of the plan shall be drawn to scale and show the accurate location of proposed improvements. Profiles shall be submitted on standards federal aid plan and profile sheets and shall have a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical, unless otherwise approved. Special studies as required may be submitted on standard cross section paper at the above-noted scale and size. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. All dimensions, angular and linear, for locating property lines, lots, street centerlines, alleys, easements and other proposed improvements. Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. Curve data shall include the delta, radius, arc, tangent, chord distance and chord bearing. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plan.
3. Existing topography shown at two-foot contour intervals based on NAVD 88 datum. The topographic information may be field run or from aerial photography, but the information must be current, and the contouring method must provide the precision expected for two-foot contours.
4. Boundary and lot line information based on companion final subdivision plat.
5. Plan information for proposed water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Show location and type of fire hydrant(s).
6. Plan information on location, type, grade, size, top and invert elevations of all existing and proposed sanitary sewers, sanitary laterals, manholes, gas lines, curb and gutter, storm sewers, inlets, ditches, culverts, water meters and other utilities. Show location of proposed connections to existing utilities.
7. Sanitary sewer lateral schedule.
8. Design computations confirming adequate control and disposition of natural and stormwater.
9. Computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
10. Profiles for all proposed sanitary and storm sewers, storm drainage outfall to adequate channel, street centerlines, right and left building setback lines, water lines and other utilities.
11. Street centerline vertical curve data with sight distance calculations.
12. Stations shown on the profile shall match stations shown on the plan.

13. Typical street section of proposed street showing entire width of right-of-way, depth and type of pavement, base and subbase and curb line or ditch section, sidewalk and cut or fill slope. Provide calculations for depth of pavement and subbase, if applicable.
14. Town of Front Royal Standard Construction Detail(s) of all proposed improvements and/or VDOT designation.
15. Provide and show the location, elevation and description of two (2) on-site reference marks which are properly correlated to the plan elevations. Indicate source and name of existing benchmark used.
16. Proposed finished grading by contour, supplemented where necessary by spot elevations.
17. The width of rights-of-way and easements and their intended use and purpose.
18. The limits of clearing and/or construction for all work to be done, including off-site turnarounds, sewer and water extensions and storm sewer outfalls.
19. Soils map and soils data. Show location of any required test borings.
20. Radius of all curb returns to face of curb. On streets where curb and gutter is not required, show radius of edge of pavement.
21. Location and type of street monuments.
22. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain studies, if required.
23. Names and widths of all proposed streets. Names and/or route numbers of all existing roads or streets adjoining the property and their posted speed limit. Indicate if access is limited.
24. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
25. Tie-in of proposed streets with existing streets. Show intersection sight distance.
26. VDOT required improvements to existing streets or roads, if applicable.
27. Street light placement.
28. Location, character, size, height and orientation of any required street sign or other proposed signage.
29. Location of any cemetery, grave, object or other structure indicating a place of burial.
30. Location and type of all driveway entrances and curb ramps, including railing, slopes and surface treatment.
31. Overlot grading plan showing proposed grading for lot development. Show location of proposed housing or building units, driveways and disposition of surface water.
32. Steep Slope analysis.
33. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
34. Adjoining property owner information, including name, deed reference and/or subdivision lot designations.
35. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
36. North arrow and meridian reference on each sheet.
37. Scale of plan, written and graphic, on each sheet.
38. Title Block requirements, on each sheet.
  - a. Plan type.

- b. Owner's name.
  - c. Lot, block and subdivision name.
  - d. Town and County designation.
  - e. Sheet number.
  - f. Plan date.
39. Cover Sheet (or first sheet) requirements:
- a. Revision block.
  - b. Index of sheets.
  - c. Name, address and phone number of owner and developer.
  - d. Name, address and phone number of plan preparer.
  - e. Zoning designation(s) with minimum lot size requirements.
  - f. Required front, side and rear yard setback dimensions.
  - g. FEMA Flood Zone designations.
  - h. Vicinity map one foot equals one thousand feet (1" = 1,000'), with sheet index for multiple sheets.
  - i. Area Tabulation showing total area and number of lots, street, open space and residue. Indicate area of construction or disturbed area.
  - j. Tax map number and/or parcel identification.
  - k. Town of Front Royal General Construction Notes.
  - l. "Miss Utility" note regarding marking of underground utilities.
  - m. Town of Front Royal "Notice Required" utility excavation note.
  - n. Legend of symbols, abbreviations and line types used.
  - o. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

Director of Finance	Date
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Reviewed and Approved by the Town of Front Royal

Director of Planning & Zoning	Date
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Town Manager	Date
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Director of Public Works	Date
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Director of Energy Services	Date
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### 148-920 SITE DEVELOPMENT PLAN DETAIL REQUIREMENTS

The site development plan shall show the location and design of proposed site improvements required for the subdivision. The Site Development Plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall be designed in accordance with the requirements of Article 8, Design

Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the Site Development Plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals fifty (50) feet and drawn in ink on pages no larger than twenty-four by thirty-six (24 × 36) inches. Plan view portions of the plan shall be drawn to scale and show the accurate location of proposed improvements. Profiles shall be submitted on standards federal aid plan and profile sheets and shall have a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical, unless otherwise approved. Special studies as required may be submitted on standard cross section paper at the above-noted scale and size. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. All dimensions, angular and linear, for locating property lines, lots, street centerlines, alleys, easements and other proposed improvements. Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. Curve data shall include the delta, radius, arc, tangent, chord distance and chord bearing. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plan.
3. Existing topography shown at two-foot contour intervals based on NAVD 88 datum. The topographic information may be field run or from aerial photography, but the information must be current, and the contouring method must provide the precision expected for two-foot contours.
4. Boundary and lot line information.
5. Plan information for proposed water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Show location and type of fire hydrant(s).
6. Plan information on location, type, grade, size, top and invert elevations of all existing and proposed sanitary sewers, sanitary laterals, manholes, gas lines, curb and gutter, storm sewers, inlets, ditches, culverts, water meters and other utilities. Show location of proposed connections to existing utilities.
7. Sanitary sewer lateral schedule.
8. Design computations confirming adequate control and disposition of natural and stormwater.
9. Computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
10. Profiles for all proposed sanitary and storm sewers, water lines and storm drainage outfall to adequate channel.
11. Stations shown on the profile shall match stations shown on the plan.
12. Typical section of proposed street improvements showing depth and type of pavement, base and subbase and curb line or ditch section, sidewalk and cut or fill slope. Provide calculations for depth of pavement and subbase, if applicable.
13. Town of Front Royal Standard Construction Detail(s) of all proposed improvements and/or VDOT designation.
14. Provide and show the location, elevation and description of two (2) on-site reference marks which are properly correlated to the plan elevations. Indicate source and name of existing benchmark used.
15. Proposed finished grading by contour, supplemented where necessary by spot elevations.
16. The width of rights-of-way and easements and their intended use and purpose.
17. The limits of clearing and/or construction for all work to be done, including off-site turnarounds, sewer and water extensions and storm sewer outfalls.
18. Soils map and soils data. Show location of any required test borings.

19. Radius of all curb returns to face of curb or radius of edge of pavement.
20. Location and type of property corner monuments.
21. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit studies, if required.
22. Names and/or route numbers of all existing roads or streets adjoining the property and their posted speed limit. Indicate if access is limited.
23. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
24. VDOT required improvements to existing streets or roads, if applicable.
25. Show location and type of exterior lighting.
26. Location, character, size, height and orientation of any required street sign or other proposed signage.
27. Location of any cemetery, grave, object or other structure indicating a place of burial.
28. Location and type of all driveway entrances and curb ramps, including railing, slopes and surface treatment. Provide sight distance calculations for entrance.
29. Steep Slope analysis.
30. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
31. Adjoining property owner information, including name, deed reference and/or subdivision lot designations.
32. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
33. North arrow and meridian reference on each sheet.
34. Scale of plan, written and graphic, on each sheet.
35. Title Block requirements, on each sheet.
  - a. Plan type.
  - b. Owner's name.
  - c. Lot, block and subdivision name.
  - d. Town and County designation.
  - e. Sheet number.
  - f. Plan date.
36. Cover Sheet (or first sheet) requirements:
  - a. Revision block.
  - b. Index of sheets.
  - c. Name, address and phone number of owner and developer.
  - d. Name, address and phone number of plan preparer.
  - e. Zoning designation(s) with minimum lot size requirements.
  - f. Required front, side and rear yard setback dimensions.
  - g. FEMA Flood Zone designations, if applicable.
  - h. Vicinity map one foot equals one thousand feet (1" = 1,000'), with sheet index for multiple sheets.

- i. Area Tabulation showing total area and number of lots, street, open space and residue. Indicate area of construction or disturbed area.
- j. Tax map number and/or parcel identification.
- k. Town of Front Royal General Construction Notes.
- l. "Miss Utility" note regarding marking of underground utilities.
- m. Town of Front Royal "Notice Required" utility excavation note.
- n. Legend of symbols, abbreviations and line types used.
- o. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

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Director of Finance	Date
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Reviewed and Approved by the Town of Front Royal

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Director of Planning & Zoning	Date
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Town Manager	Date
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Director of Public Works	Date
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Director of Energy Services	Date
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### 148-925 AS-BUILT DETAIL REQUIREMENTS

An as-built shall be prepared for site improvements required by the approved site development plan, subdivision development plan, overlot grading plan, and/or final plat that are intended for public use. The as-built shall show the existing horizontal and vertical dimensions of the constructed site improvements on a copy of the site development plan and/or final plat in a fashion that distinguishes them from the proposed or designed dimensions, such as in "italic" or "boxed" format. In addition to the items shown on the site development plan or final plat, the as-built shall include the following:

1. The horizontal location and dimensions of sanitary manholes, storm inlets, ditches, swales, water valves, water meters, fire hydrants, utility poles and pedestals, driveway entrances, handicap curb cuts, streets, sidewalks and signs. (Provide coordinate values, or acad line file, of said horizontal locations.)
2. Horizontal variations greater than one (1.0) foot should be shown dimensionally or through plus stations. Horizontal variations greater than five (5.0) feet should also show the graphic relocation of the object. Vertical elevation variations greater than one-tenth foot shall be provided for all shown design elevations.
3. Retaining wall: indicate type and show elevations of the top of wall and the lowest finished grade.
4. Spot elevations of graded areas to determine the finished grade of all areas of steep slope. Highlight all areas of finished slopes exceeding design grade by more than one percent (1%).
5. Horizontal location with dimensions of all structures with dimensions including porches, decks, garages, etc., show vertical elevations of first floor and basement floor.
6. Horizontal and vertical location of roof drains, foundation drains and other drainage outlets. Locations of utility services.
7. Location of required plantings.

8. Invert and top elevations of sanitary manholes and storm inlets.
9. Size (diameter) and type of sanitary and storm sewer lines.
10. Length and percentage of slope of individual runs of sanitary and storm sewer lines.
11. Length, percentage of slope, invert elevations, and cross section dimensions of storm drainage ditches or swales.
12. Topography by contours of stormwater management ponds or other stormwater detention devices and provide calculations of existing storage. Include spot elevations as needed.
13. Topography by contours of all graded areas, including street slopes and areas of overlot grading. Include spot elevations as needed.
14. Elevation of centerline of streets at fifty-foot intervals.
15. Elevation of curb and gutter flowline at fifty-foot intervals.
16. Widths of sidewalks, trails, street pavement, driveway entrances, and other concrete or asphalt items.
17. A statement that the street and lot corner monuments have been set.
18. Signature and seal of the as-built plan preparer.
19. Date of the as-built.
20. The as-built plan must be stamped by a licensed land surveyor or professional engineer and include certification the as-built plan is substantially in conformance with the original plan. If a geotechnical report is used, the appropriate licensed professional must certify that the as-built is in conformance with the report.

### **148-930 OVERLOT GRADING PLAN DETAIL REQUIREMENTS**

The overlot grading plan shall show the proposed grading and improvements for proposed subdivision lots. The overlot grading plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall be designed in accordance with the requirements of Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the overlot grading plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals fifty (50) feet and drawn in ink on pages no larger than twenty-four by thirty-six (24 × 36) inches. Plan view portions of the plan shall be drawn to scale and show the accurate location of proposed improvements. Profiles shall be submitted on standards federal aid plan and profile sheets and shall have a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical, unless otherwise approved. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. All dimensions, angular and linear, for locating property lines, lots, street centerlines, alleys, easements and other proposed improvements. Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. Curve data shall include the delta, radius, arc, tangent, chord distance and chord bearing. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plan.
3. Existing topography shown at two-foot contour intervals based on NAVD 88 datum. The topographic information may be field run or from aerial photography, but the information must be current, and the contouring method must provide the precision expected for two-foot contours.
4. Boundary and lot line information.

5. Plan information for proposed water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Show location and type of fire hydrant(s).
6. Plan information on location, type, grade, size, top and invert elevations of all existing and proposed sanitary sewers, sanitary laterals, manholes, gas lines, curb and gutter, storm sewers, inlets, ditches, culverts, water meters and other utilities. Show location of proposed connections to existing utilities.
7. Sanitary sewer lateral schedule.
8. Design computations confirming adequate control and disposition of natural and stormwater.
9. Computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
10. Profiles for all proposed sanitary and storm sewers, water lines and storm drainage outfall to adequate channel.
11. Stations shown on the profile shall match stations shown on the plan.
12. Town of Front Royal Standard Construction Detail(s) of all proposed improvements and/or VDOT designation.
13. Provide and show the location, elevation and description of two (2) on-site reference marks which are properly correlated to the plan elevations. Indicate source and name of existing benchmark used.
14. Proposed finished grading by contour, supplemented where necessary by spot elevations.
15. The limits of clearing and/or construction for all work to be done.
16. Soils map and soils data. Show location of any required test borings.
17. Radius of all curb returns to face of curb or radius of edge of pavement.
18. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit studies, if required.
19. Names and/or route numbers of all existing roads or streets adjoining the property and their posted speed limit. Indicate if access is limited.
20. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
21. VDOT required improvements to existing streets or roads, if applicable.
22. Show location and type of exterior lighting.
23. Location of any cemetery, grave, object or other structure indicating a place of burial.
24. Location and type of all driveway entrances and curb ramps, including railing, slopes and surface treatment. Provide sight distance calculations for entrance.
25. Steep Slope analysis.
26. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
27. Adjoining property owner information, including name, deed reference and/or subdivision lot designations.
28. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
29. North arrow and meridian reference on each sheet.
30. Scale of plan, written and graphic, on each sheet.
31. Title Block requirements, on each sheet.

- a. Plan type.
  - b. Owner's name.
  - c. Lot, block and subdivision name.
  - d. Town and County designation.
  - e. Sheet number.
  - f. Plan date.
32. Cover Sheet (or first sheet) requirements:
- a. Revision block.
  - b. Index of sheets.
  - c. Name, address and phone number of owner and developer.
  - d. Name, address and phone number of plan preparer.
  - e. Zoning designation(s) with minimum lot size requirements.
  - f. Required front, side and rear yard setback dimensions.
  - g. FEMA Flood Zone designations, if applicable.
  - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
  - i. Area Tabulation showing total area and number of lots, street, open space and residue. Indicate area of construction or disturbed area.
  - j. Tax map number and/or parcel identification.
  - k. Town of Front Royal General Construction Notes.
  - l. "Miss Utility" note regarding marking of underground utilities.
  - m. Town of Front Royal "Notice Required" utility excavation note.
  - n. Legend of symbols, abbreviations and line types used.
  - o. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

Director of Finance	Date
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Reviewed and Approved by the Town of Front Royal

Director of Planning & Zoning	Date
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Town Manager	Date
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Director of Public Works	Date
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Director of Energy Services	Date
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## 148-935 FINAL SUBDIVISION PLAT DETAIL REQUIREMENTS

The final subdivision plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The final plat shall be prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and shall be drawn in ink on sheets no larger than eighteen by twenty-four (18 × 24) inches and no smaller than eight and one-half by eleven (8½ × 11) inches. Unless otherwise approved by the Director, the Final Plat shall include the following:

1. A statement that the final plat is substantially in accordance with the approved preliminary plan, if applicable. The final plat may include all or any part of the area covered by the preliminary plan, in accord with phasing designations shown on the preliminary plan.
2. A statement or certificate signed by the preparer certifying to the correctness of the survey, the drawn plat, the placement of lot corner and street monuments and stating the source of title to the land subdivided and the place of record of the last instrument in the chain of title. When the property is of land acquired from more than one (1) source of title, the outlines of the several tracts shall be indicated by means of a dotted line or within an inset block.
3. A statement or certificate that "The subdivision and dedication of the land shown hereon is with the free consent and in accordance with the desire of the undersigned owner(s), proprietor(s) and trustee(s)." The statement shall be signed by such persons and duly acknowledged before an officer authorized to make such acknowledgements.
4. The boundary lines of the land being subdivided shall be determined from a field survey meeting the requirements of the "Minimum Standards and Procedures for Land Boundary Surveying Practice" (18 VAC 10-20-370) of the regulations promulgated by the Virginia State Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The survey shall be referenced to the Virginia Coordinate System of 1983 and the plat shall show the coordinate values of at least two (2) corners of the subdivision.
5. The location, number and area (square feet or acres) of proposed lots and parcels (both residential and non-residential).
6. All dimensions, angular and linear, for locating boundary lines, lots, parcels, streets, street centerlines, alleys and easements (public and private). Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. All curves shall be defined by their radius, arc length, central angle, tangent length, chord bearing and chord distance. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plat.
7. A statement regarding the use and dedication of all non-residential parcels and lots.
8. Proposed easements or rights-of-way, their widths and use, and any limitation on such easements or rights-of-way. Easements must be located in cooperation with the appropriate public utility provider.
9. Existing easements or other encumbrances of record known to the professional. Indicate if a title report was furnished.
10. Lot numbers in numerical order and block identification in accordance with the approved preliminary plan.
11. Proposed streets and widths. Use street name(s) per approved preliminary plan with statement regarding dedication and use.
12. Names and/or route numbers of existing roads or highways adjoining the property. Indicate if access is limited.

13. Distance to nearest road intersection where applicable.
14. A bearing and distance tie to the exterior boundary for parcels or sections located entirely within the perimeter boundary lines.
15. The location of any easement, right-of-way or street to be vacated, if any.
16. The location and type of all boundary line and permanent reference monuments.
17. Adjoining property owner information, including name, deed reference and/or subdivision lot designation.
18. Building restriction setback lines with dimensions.
19. North arrow with meridian reference on each sheet.
20. Scale of drawing, written and graphic, on each sheet.
21. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
22. Title Block requirements, on each sheet.
  - a. Plat type.
  - b. Owner's name.
  - c. Lot, block and subdivision name.
  - d. Town and County designation.
  - e. Sheet number.
  - f. Plan date.
23. Cover Sheet (or first sheet) requirements:
  - a. Revision block. Show date and nature of all revisions.
  - b. Index of sheets and match lines.
  - c. Name, address and phone number of owner and developer.
  - d. Name, address and phone number of plan preparer.
  - e. Zoning designation(s) with minimum lot size requirements.
  - f. Front, side and rear yard setback dimensions.
  - g. FEMA Flood Zone designations, if applicable.
  - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
  - i. Area Tabulation showing total area and number of lots, streets, open space and residue. The number of units by type when mixed uses are proposed.
  - j. Tax map number and/or parcel identification.
  - k. Legend of symbols, abbreviations and line types used.
  - l. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

\_\_\_\_\_  
Director of Finance

\_\_\_\_\_  
Date

Reviewed and Approved by the Town of Front Royal

\_\_\_\_\_

Town Council\*

Date

---

Director of Planning & Zoning

Date

\*Use Town Manager for Minor Subdivision.

## **148-940 LOT CONSOLIDATION/BOUNDARY LINE ADJUSTMENT PLAT DETAIL REQUIREMENTS**

The lot consolidation/boundary line adjustment plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The final plat shall be prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and shall be drawn in ink on sheets no larger than eighteen by twenty-four (18 × 24) inches and no smaller than eight and one-half by eleven (8½ × 11) inches. Unless otherwise approved by the Director, the final plat shall include the following:

1. A statement or certificate signed by the preparer certifying to the correctness of the drawn plat and stating the source of title to the land shown and the place of record of the last instrument in the chain of title. When the property is of land acquired from more than one (1) source of title, the outlines of the several tracts shall be indicated by means of a dotted line or within an inset block.
2. A statement or certificate that "The lot consolidation or boundary line adjustment of the land shown hereon is with the free consent and in accordance with the desire of the undersigned owner(s), proprietor(s) and trustee(s)." The statement shall be signed by such persons and duly acknowledged before an officer authorized to make such acknowledgements.
3. Indicate if the boundary lines shown on the plat are from record information or have been determined from a field survey meeting the requirements of the "Minimum Standards and Procedures for Land Boundary Surveying Practice" (18 VAC 10-20-370) of the regulations promulgated by the Virginia State Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.
4. Original property lines with bearings and distances.
5. Show vacated property line(s) as a dashed or dotted line and use lettering indicating the vacation of the lines. (Property line hereby vacated.)
6. New property lines shown with bearings and distances. Use lettering indicating the new lines. (Property line hereby created.)
7. Existing easements or other encumbrances of record known to the professional. Indicate if a title report was furnished.
8. Total area of original lot(s).
9. Total area of new lot(s).
10. Area of the adjustment(s).
11. New lot number (alpha numeric). Show vacated lot numbers as dashed or dotted text.
12. Names and/or route numbers of existing roads or highways adjoining the property. Indicate if access is limited.
13. Distance to nearest road intersection where applicable.
14. The location and type of all boundary line and permanent reference monuments.
15. Adjoining property owner information, including name, deed reference and/or subdivision lot designation.



Director. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.

2. Proposed phasing of the development.
3. The general locations, dimensions, height, number of floors and setbacks of all existing and proposed buildings, structures and other improvements.
4. The total tract boundaries of the proposed subdivision and the source of title for all boundary information. Indicate if boundary information shown is based on a current field survey or based on deeds of record. When the property is of land acquired from more than one (1) source of title, the outlines of the several tracts shall be indicated by means of a dotted line or within an inset block.
5. A table estimating the lot coverage ratio and impervious surface area.
6. The boundaries of any lakes, rivers, streams, ponds or wetlands.
7. The general location and material descriptions of all other existing and proposed screens, buffer areas or landscaping.
8. The location and dimensions of existing and proposed parking and loading areas, and any other impervious areas such as driveways, streets and sidewalks.
9. The location of all points of access and all proposed interparcel connections.
10. Existing topography shown with a contour interval of not greater than five (5) feet and based on USGS datum. The source of the topography shall be identified.
11. Show proposed and existing water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Location of existing and proposed fire hydrant(s).
12. Show location, type, grade, and size of all proposed and existing sanitary sewers, manholes, gas lines, storm sewers, inlets, ditches, culverts and other utilities. Show location of proposed connections to existing utilities.
13. A conceptual plan for stormwater management and surface drainage on the entire site. Provide preliminary computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
14. A conceptual plan for overlot grading with contours.
15. All existing or proposed utility transmission lines, bridges, culverts and railroads.
16. Preliminary design of any proposed bridges or large culverts which may require review by other state or local agencies. The preliminary design must meet all applicable requirements of the appropriate state and local agencies and shall be submitted to such agencies by the applicant.
17. Building restriction setback lines with dimensions.
18. Lot numbers.
19. Names and/or route numbers of all existing roads or streets adjoining the property. Indicate if access is limited.
20. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
21. Show any VDOT required improvements to existing streets or roads, if applicable.
22. Location, character, size, height and orientation of any required street sign or other proposed signage.
23. The location and width of existing and proposed rights-of-way and easements and their intended use and purpose.

24. Soils map and soils data. Show location of any required test borings.
25. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit study, if required.
26. Approximate location of existing buildings on the property and within two hundred (200) feet outside of the perimeter boundary lines.
27. The location of any cemetery, grave, object or other structure indicating a place of burial.
28. Show any historical buildings, structures or sites designated on the Virginia Landmarks Register that are located within or adjacent to the proposed subdivision.
29. Preliminary steep slope analysis.
30. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan.
31. Adjoining property owner information, including name, use, deed reference and/or subdivision lot designations.
32. Significant physical features on the property (watercourses, wetlands, wooded areas, etc) and other significant man-made or natural features within the subdivision.
33. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
34. North arrow and meridian reference on each sheet.
35. Scale of plan, written and graphic, on each sheet.
36. Title Block requirements, on each sheet.
  - a. Plan type.
  - b. Owner's name.
  - c. Lot, block and subdivision name.
  - d. Town and County designation.
  - e. Sheet number.
  - f. Plan date.
37. Cover Sheet (or first sheet) requirements:
  - a. Revision block. Show date and nature of all revisions.
  - b. Index of sheets.
  - c. Name, address and phone number of owner and developer.
  - d. Name, address and phone number of plan preparer.
  - e. Zoning designation(s) with minimum lot size requirements.
  - f. Front, side and rear yard setback dimensions.
  - g. FEMA Flood Zone designations, if applicable.
  - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
  - i. Area Tabulation showing total area and number of lots, streets, open space and residue. The number of units by type when mixed uses are proposed.
  - j. Off-street parking tabulation.
  - k. Tax map number and/or parcel identification.

- I. Legend of symbols, abbreviations and line types used.

## **148-950 PROPOSED HOUSE LOCATION SURVEY DETAIL REQUIREMENTS**

The proposed house location survey shall show the proposed grading and improvements for residential parcel or lot of record. The proposed house location survey shall be prepared by a land surveyor or professional engineer licensed in the Commonwealth of Virginia. All proposed improvements shall be designed in accordance with the requirements of Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the proposed house location survey shall include the following:

1. The proposed house location survey shall be prepared at a scale of no greater than one (1) inch equals fifty (50) feet and shall be drawn in ink on sheets no larger than eighteen by twenty-four (18 × 24) inches and no smaller than eight and one-half by eleven (8½ × 11) inches.
2. Existing topography shown at two-foot contour intervals based on NAVD 88 datum. The topographic information may be field run or from aerial photography, but the information must be current, and the contouring method must provide the precision expected for two-foot contours.
3. Boundary and lot line information. Indicate if boundary information is based on a current field survey or based on deeds of record.
4. The location, dimensions, height, number of floors and setbacks of all existing and proposed buildings, structures and other improvements.
5. Building restriction setback lines with dimensions.
6. Area of lot or parcel.
7. Type, grade, size, top and invert elevations of all existing sanitary sewers, manholes, curb and gutter, storm sewers, inlets, ditches, culverts, water meters and other utilities. Show location of proposed connections to existing utilities.
8. Show location and details of proposed connections to existing utilities.
9. Computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
10. Provide and show the location, elevation and description of an on-site reference mark which is properly correlated to the survey elevations. Indicate source and name of existing benchmark used.
11. Proposed finished grading by contour, supplemented where necessary by spot elevations.
12. The limits of clearing and/or construction for all work to be done.
13. Radius of all curb returns to face of curb or radius of edge of pavement.
14. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit studies, if required.
15. Names and/or route numbers of all existing roads or streets adjoining the property and their posted speed limit. Indicate if access is limited.
16. Location of any cemetery, grave, object or other structure indicating a place of burial.
17. Location and type of all driveway entrances and curb ramps, including railing, slopes and surface treatment.
18. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
19. Adjoining property owner information, including name, deed reference and/or subdivision lot designations.

20. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
21. North arrow and meridian reference on each sheet.
22. Scale of plat, written and graphic, on each sheet.
23. Title Block requirements, on each sheet.
  - a. Plat type.
  - b. Owner's name.
  - c. Lot, block and subdivision name.
  - d. Town and County designation.
  - e. Sheet number.
  - f. Plat date.
24. Cover Sheet (or first sheet) requirements:
  - a. Revision block.
  - b. Index of sheets.
  - c. Name, address and phone number of plan preparer.
  - d. Zoning designation.
  - e. FEMA Flood Zone designations.
  - f. Tax map number and/or parcel identification.
  - g. "Miss Utility" note regarding marking of underground utilities.
  - h. Legend of symbols, abbreviations and line types used.

## **ARTICLE 10 SCHEDULE OF FEES**

### **148-1000 FEES**

A. The following fees are hereby assessed for the applications or services as indicated:

<b>APPLICATION TYPE</b>	<b>FEE</b>
Boundary Adjustment	\$100.00
Boundary Plat/Survey Review	\$50.00
Copy of Town Subdivision and Land Development Ordinance	\$15.00
Lot Line Vacation	\$150.00
Performance Bond Release Partial and Full	\$200.00
Right-of-Way Utilization Permit	\$100.00
Administrative Variance (per application submission, not per variance or exception standard)	\$250.00
Site Development Plan (Minor)	\$500.00

Site Development Plan (Major)	\$1,000.00 for 1st & 2nd Submissions. Any Subsequent Review will incur \$500.00/per submission
Sketch Plan	\$150.00
Subdivision Final Plat (Minor)	\$200.00 + \$100.00/per lot
Subdivision Development Plan (Minor)	\$500.00
Preliminary Plan (Major)	\$750.00
Subdivision Final Plat (Major)	\$1,000.00 + \$100.00/per lot
Subdivision Development Plan (Major)	\$750.00 + \$25.00/per lot
GIS Data:	
a. Aerials (1,250' x 1,250' Panel) (per panel)	\$5.00
b. Base Maps (5,000' x 5,000' panel) (per panel)	\$25.00
Or Townwide	\$400.00
c. Other Layers (as available) (townwide)	\$50.00
d. Parcel Layers (as available) (townwide)	\$100.00
e. Scanned Document (per sheet)	\$12.50

- B. Until all fees, charges, etc., described above have been paid in full, no action shall be taken to any application for any of the services described above.
- .C. Freedom of Information Act (FOIA) requests for available information shall be submitted to the appropriate Department that maintains the records sought for processing. Any request for records or documents from the Town is considered a FOIA request. All FOIA requests shall be communicated by the Department to the Town Manager and Town Attorney. FOIA regulations allow the Town to assess a reasonable charge for the costs to access, search, duplicate, and supply the requested materials if they exist. The Town shall not assess fees if staff time is less than thirty (30) minutes and ten (10) pages of eight and one-half inch by eleven-inch (8½" x 11") paper. An individual requesting materials through a FOIA request will be notified as soon as practicably possible. The Town shall conform to all FOIA regulations established by the Commonwealth of Virginia to ensure access to all available Town documents.

**This ordinance shall become effective upon passage.**

APPROVED:

\_\_\_\_\_  
Lori A. Cockrell, Mayor

ATTEST:

\_\_\_\_\_  
Hillary Wilfong, Deputy Clerk of Council

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This Ordinance was adopted at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on \_\_\_\_\_, 2026 upon the following recorded vote:

R. Wayne Sealock	<input type="checkbox"/> Yes <input type="checkbox"/> No	H. Bruce Rappaport	<input type="checkbox"/> Yes <input type="checkbox"/> No
Joshua L. Ingram	<input type="checkbox"/> Yes <input type="checkbox"/> No	Melissa DeDomenico-Payne	<input type="checkbox"/> Yes <input type="checkbox"/> No
Amber F. Veitenthal	<input type="checkbox"/> Yes <input type="checkbox"/> No	Glenn E. Wood	<input type="checkbox"/> Yes <input type="checkbox"/> No

A public hearing on the above was held on \_\_\_\_\_ having been advertised in the Northern Virginia Daily on June 8 and June 15, 2026.

\*\*\*\*\*

Approved as to Form and Legality:

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George M. Sonnett, Jr., Town Attorney

Dated: \_\_\_\_\_



## COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: June 22, 2026

Item# 7C

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**Agenda Item:** Zoning text amendments to Town Code §175-3 – Definitions to define data centers and town code §175-64 industrial employment district (I-2) to add data centers with performance standards by special use permit.

**Summary:** The Planning Commission held two work sessions to review the proposed text amendment which adds the definitions of Data Center with performance standards and requirements for impact analysis submissions to the Town. Planning Commission held a public hearing on September 17, 2025, and recommended approval.

At the October 6<sup>th</sup> Town Council Work Session, it was recommended to inquire about contracting legal services to review the draft amendments for compliance with Virginia Code, industry standards, and zoning practices for the health, safety, and welfare of the community.

At the May 11, 2026, Town Council Work Session, the item was recommended to be advertised for a public hearing to be held at the Regular Meeting on June 22, 2026.

**Budget/Funding:** N/A

**Proposed Motions:**

[Motions provided on following page]

### **Approval**

In furtherance of the purposes and objectives contained in Town Code §175-1(B), and finding that the public necessity, convenience, general welfare, and good zoning practice so require, I move that Council adopt zoning text amendments to Town Code §175-3 – Definitions to define Data Centers, Town Code §175-64 Industrial Employment District (I-2) to revise the I-2 statement of intent and to add Data Centers with performance standards by Special Use Permit, and establish §175-74 Data Center Impact Analysis requirements, as presented.

### **Approval with appropriate changes or corrections in the ordinance or proposed amendment**

In furtherance of the purposes and objectives contained in Town Code §175-1(B), and finding that the public necessity, convenience, general welfare, and good zoning practice so require, I move that Council adopt zoning text amendments to Town Code §175-3 – Definitions to define Data Centers, Town Code §175-64 Industrial Employment District (I-2) to revise the I-2 statement of intent and to add Data Centers with performance standards by Special Use Permit, and establish §175-74 Data Center Impact Analysis requirements, with the following changes, *[Recite recommended changes per Va. Code §15.2-2204 & §15.2-2285]*

### **Referral to Planning Commission**

I move that Council refer this agenda item back to the Planning Commission with instructions to provide Council with recommendations to define and prohibit data centers as a specific use in the Town zoning ordinance per Va. Code § 15.2-2280.

### **Denial**

In furtherance of the purposes and objectives contained in Town Code §175-1(B), I move that Council deny the proposed zoning text amendments.

# **AN ORDINANCE AMENDMENT TO CHAPTER 175 OF THE FRONT ROYAL TOWN CODE TO DEFINE DATA CENTER AND ADD DATA CENTER TO THE INDUSTRIAL EMPLOYMENT DISTRICT (I-2) STATEMENT OF INTENT, USE REGULATIONS AND PERFORMANCE STANDARDS; AND TO ENACT 175-74 DATA CENTER IMPACT ANALYSIS**

## **CHAPTER 175 - ZONING**

### **175-3 – DEFINITIONS**

For the purpose of this chapter, certain words and terms are herein defined as follows:

**ANSI S1.4** - A standard that specifies the performance requirements for sound level meters, including different types of meters used for measuring sound levels in various environments.

**BEST MANAGEMENT PRACTICES (BMP)** - Proven and repeatable practices and workflows that represent the most effective and efficient ways to achieve organizational goals, maintain compliance, and enhance overall performance.

**CORRELATED COLOR TEMPERATURE (CCT)** - It is essentially a gauge of how yellow or blue the color of light emitted from a light bulb appears. It's measured in the Kelvin.

**DATA CENTER** - A use where digital information is processed, transferred, and/ or stored, occupying 10,000 square feet or more, where the majority of space is occupied by computers, servers, telecommunications and related equipment (including supporting equipment).

**DATA CENTER CAMPUS (CAMPUS)** - Land occupied and maintained by Data Center.

**DECIBEL AUDIBLE (dB(A))** - Weighted power measurement for noise that filters high and low frequencies not of concern to human hearing.

**DECIBELS RELATIVE TO THE CARRIER (dB(C))** - A measurement that expresses the power ratio of a noise signal to a carrier signal in decibels. It indicates how much weaker or stronger the noise is compared to the carrier, with positive values showing stronger noise and negative values indicating weaker noise.

**EMERGENCY MEDICAL SERVICES (EMS)** - The immediate medical response and pre-hospital care provided by trained professionals (such as paramedics and emergency medical technicians) to individuals experiencing acute illness or injury, typically in emergency situations like accidents, cardiac arrest, trauma, or other medical crises.

**FOOT CANDLES (fc)** - A unit of measurement for illuminance, which indicates how much light is received on a surface. Specifically, one foot-candle equals one lumen per square foot.

**g** - Refers to the unit of acceleration due to gravity, which is approximately 9.8 m/s<sup>2</sup>. It is used to measure the magnitude of vibration, with higher g values indicating greater levels of acceleration and potential impact.

**LARGE INDUSTRIAL FACILITY UTILITY USER:** Refers to a business or organization that consumes or discharges a significant volume of utilities such as electricity, natural gas, or water due to large-scale industrial operations.

**LUMINOUS EFFICACY (lm/w):** Luminous Efficacy relates the luminous flux produced by a light

source and the actual luminous flux emitted, i.e. how much light a light source is capable of producing and how much light it actually emits.

**POWER USE EFFECTIVENESS (PUE):** A metric used to measure the energy efficiency of a data center. It compares the total amount of power used by the facility to the power used specifically by the computing equipment (like servers, storage, and networking devices).

**SMALL DATA CENTER:** A use where digital information is processed, transferred, and or stored, occupying less than 10,000 square feet, where the majority of space is occupied by computers, servers, telecommunications and related equipment (including supporting equipment).

## **INDUSTRIAL EMPLOYMENT DISTRICT (I-2)**

### **175-64 STATEMENT OF INTENT (I-2)**

The I-2 Industrial Employment District is designed to:

A .Enable the establishment of industrial, and employment uses and structures in appropriate locations of the town.

B. Prevent land or structures from being used in a manner so as to create any dangerous, injurious, noxious or otherwise objectionable risk of fire, explosion, radioactivity or other hazardous condition; noise or vibration, smoke, dust, odor or other form of air pollution; electrical or other disturbance, glare or heat; liquid or solid waste; or other condition that would detract from the residential and commercial desirability of the adjoining areas.

C. Provide controls and standards for the establishment of industrial, and employment uses and structures in keeping with the purposes of this Article and the Front Royal Comprehensive Plan.

**D. Establish standards and guidelines for the construction, use and operation of Data Centers.**

### **175-65 USE REGULATIONS (I-2)**

B. The following uses are permitted within the I-2 District only by approval of a special use permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the I-2 District:

RESIDENTIAL:

COMMERCIAL:

- Airport (including heliports).
- Assembly Halls.
- Barber and beauty shops.
- Catering Services.
- Clubs.
- Daycare and daycare facilities.
- Kennels.
- Recreation facility, commercial.
- Restaurant, including drive-in restaurants.
- Retail Stores.

INDUSTRIAL:

- Automobile Graveyard.

**Data Center (subject to the supplemental provisions prescribed in Section 175-70.J & 175-74).**

Hazardous Material Storage.

Heavy Manufacturing.

Medium Manufacturing.

Scrap metal processing.

#### ORGANIZATIONAL:

#### MISCELLANEOUS:

Any use permitted under Section 175-65.A, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-67, subject to the requirements of Section 175-136. Additional heights approved by a special use permit shall be required to increase the required setback and yard area requirements by an equivalent distance from each property line.

Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions prescribed in Section 175-110.4.

Conservation Areas.

Mini-warehouses.

Parking Structures.

#### **175-70 PERFORMANCE STANDARDS (I-2)**

The following performance standards shall apply to all uses within the I-2 Industrial Employment District:

##### A. Vibration:

1.No continuous, frequent or repetitive vibrations shall be produced which are discernible to a person of normal sensitivities, without instruments, on land that is not zoned for industrial uses.

2.Vibrations from temporary construction and vehicles leaving the property (such as trucks or trains) are excluded. Vibrations from on-site equipment or vehicles that remain primarily on-site are included.

3.Vibrations of no more than five (5) minutes in any one (1) day between the hours of 7:00 a.m. and 7:00 p.m. shall not be deemed continuous, frequent or repetitive.

B. Glare: Any operation or activity producing intense light or glare shall be performed in such a manner as not to create a glare effect across lot lines. Direct illumination from any source shall be screened from adjoining properties.

##### C.Heat:

1.Heat from an industrial use shall not at any time cause a temperature increase in the air on any adjacent property in excess of ten degrees Fahrenheit (10° F.).

2.Heat from an industrial use shall not at any time cause a temperature increase in a stream, wetland, lake or any other body of water, at or beyond the property line of the lot on which it is located, that would have an adverse effect on any aquatic life.

D. Liquid or Solid Wastes:

1.No industrial use shall result in the discharge of liquid or solid waste into any public sewer, private sewage system, public waters or into the ground except in compliance with applicable federal, state or local laws governing such discharge.

2.There shall be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects.

3.All discharges into any public sewer shall comply with the provisions of Section 134-2 et seq.

E. Smoke and Particulate Matter:

1.Open storage and open processing operations, including on-site transportation movements which are the source of windborne dust or other particulate matter or which involve dust or other particulate air contaminant generating equipment (such as used in paint spraying, grain handling, sand or gravel processing or sandblasting) shall be conducted so that dust and other particulate air contaminants are not transported in visible quantities across the boundary line of the tract on which the industrial use is located.

2.All industrial uses shall comply with state and federal air pollution control regulations.

F. Toxic and Hazardous Materials:

1.All toxic and hazardous materials used in industrial operations shall be registered with the Front Royal Fire Department for purposes of safety.

2.Activities involving the storage or use of materials or products which decompose by detonation shall be registered with the Front Royal Fire Department.

3.Explosives shall be stored, used and manufactured in accordance with applicable state and federal regulations.

G. Odor:

1.No continuous, frequent or repetitive emission of odors or odor-causing substances of such intensity and character as to be detrimental to the health and welfare of the public or neighboring landowners or to interfere with the comfort of the public or neighboring landowners at or beyond the property line shall be permitted. Any such odor or odor causing activity or substance shall be removed, stopped or so modified as to remove the odor.

2.An odor which is evident no more than once in any one (1) day for a period not exceeding five (5) minutes shall not be deemed as continuous, frequent or repetitive within the meaning of these regulations.

H. Noise:

1.No industrial activity shall generate noise that tends to have an annoying or disruptive effect

upon uses located beyond the property boundary.

2. Where technical evidence of violation is warranted, sound levels shall be measured at locations specified in Section 175-71 with a sound level meter and associated octave band filter, manufactured in accordance with the American Standards Association. Measurements shall be made using the flat network of the sound level meter. No sound pressure level shall exceed the decibel levels in the octave bands shown herein.

3. Maximum permitted sound levels (in decibels):

Octave Band Cycles Per Second	Maximum Permitted Sound Level in Decibels
0 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1200	46
1200 to 2400	41
2400 to 4800	38
Above 4800	35

4. Noise resulting from temporary construction activity between the hours of 7:00 a.m. and 7:00 p.m. shall be exempt from this section.

I. Screening:

1. Except where otherwise specifically approved in the Town Code, permitted uses shall be conducted wholly within a completely enclosed building.

2. Outdoor storage, outdoor display or outdoor sale of goods shall only be permitted when each of the following standards are met:

a. Outdoor storage, outdoor display, or outdoor sale of goods shall be used in direct association with the primary use or uses of the property.

b. Outdoor storage, outdoor display and/or outdoor sales shall be screened to obstruct view from any adjacent public street. A screen may consist of a building, solid masonry wall, uniformly painted solid board fence or landscaping. The height of the screening shall be six feet (6') feet unless an alternative height is approved by the Planning Commission during the review of a site plan.

3. The following types of outdoor display and/or outdoor sales shall be exempt from the requirements of Section 175-70.1.2.b:

a. Motor vehicles.

b. Power operated machines designed for outdoor labor, such as farming, construction or lawn maintenance, as well as large equipment, products, and materials designed to be kept outdoors.

- c.Plants and other landscaping products typically sold with plants.
- d.Temporary or seasonal activities, such as but not limited to, peddlers and itinerant merchants that have obtained approval from the Town.
- e.Pre-manufactured buildings.
- f.Vending machines.
- g.General products, goods, merchandise, and/or materials, provided that: (i) no more than two hundred (200) square feet of area is used, and (ii) outdoor display and/or sales are restricted from the evening and night hours from 8:00 p.m. to 5:00 a.m., except that general products, goods, merchandise, and/or materials may be kept outdoors if located under a roofed structure.

4.All sites and parking areas shall be landscaped in accordance with the provisions of Sections 14846, 148-47 and 148-48.

5.Automobile graveyards and junkyards, including those in existence at the time of the adoption of this chapter, shall completely screen, on any side open to view from a public road, the operation or use by a solid masonry wall, a uniformly-colored solid fence or dense evergreen plantings at least six (6) feet in height at the time of planting.

In addition to performance standards A through I, the following performance standards shall apply only to Data Center use within the Industrial Employment District.

**J. Data Center Performance Standards:**

1.As a “Large Industrial Facility Utility User” data centers shall be subject to application requirements and performance standards intended to mitigate adverse impacts on adjacent properties, infrastructure, and natural resources. These standards shall address, at a minimum, operational noise, visual buffering, stormwater management, energy infrastructure, and emergency power systems. Whenever possible, innovative resource (power, water, etc.) protection implantations are encouraged. Application requirements will include:

- a.Data Center Utility Impact Analysis.
- b.Data Center Physical Impact Analysis
- c.Data Center Environmental Impact Analysis.

Data Center Impact Analysis requirements can be found in section 175-74.

**2.Minimum Setback Requirements:**

- a.Adjacent to residential zoning districts: minimum setbacks shall be at least 200 feet.
- b.Adjacent to Planned Neighborhood Development (PND) zoning districts: minimum setbacks shall be at least 150 feet.
- c.Adjacent to commercial and industrial zoning districts: minimum setbacks shall be at least 25

feet.

i. Adjacent to public streets, railways and other rights-of-way: minimum setbacks shall be at least 40 feet.

ii. Adjacent to Agriculture and Open Space Preservation District (A1) shall be no less than 100 ft.

iii. Setbacks for property that adjoins the corporate limits of the town shall have a setback of no less than 200 ft.

iv. Between buildings: Within a common scheme of development where individual lots or building sites are to be sited, the minimum setback between buildings on adjacent lots or building sites shall be at least 25 feet.

### 3. Perimeter Buffers:

a. All buffers shall be inclusive of required setbacks.

b. Buffer yard plantings shall be designed to minimize visual impacts from adjacent public streets and properties not in common ownership. Notwithstanding the requirements of this section, use of natural topography and preservation of existing vegetation, supplemented by new vegetation and security fencing. All new trees shall be at least 6 feet tall at time of planting and achieve a height of at least 25 feet at maturity.

c. A perimeter buffer shall be established and maintained with a minimum width of twenty-five feet along the perimeter of each Data Center Campus. In addition, additional plantings within the setback area but spread outside of the separately landscaped perimeter buffer shall be installed and maintained by the campus owner.

### 4. Open Spaces

a. A minimum of thirty (30) percent open space (permeable surface area) shall be maintained for each campus or contiguous group of parcels in common ownership within the lot, including undeveloped land, wetlands, steep slopes, stormwater best management practice features, open areas, landscape buffers, and land used primarily for resource protection or recreational purposes.

b. The on-site open space requirement may be reduced to 20% on a parcel where all stormwater best management practices are designed where all volume and nutrient treatment occurs on site without the purchase of offsite nutrient credits.

### 5. Noise Standards

Technical Note: Unlike other sources of noise, data centers generate a continuous, mechanical sound profile primarily from industrial-scale cooling systems, power infrastructure, and ventilation equipment which may persist 24 hours a day. Because this noise is largely constant and not intermittent, it presents unique challenges to nearby residential areas and requires separate regulation from most general noise provisions. These standards aim to protect public health, residential quality of life, and nighttime peace while allowing for the lawful operation of data center facilities.

a.Noise standards are measured in bands and across total audible spectrum. Noise is measured prior to construction and the post construction operational phase of data center.

i.Low-frequency core audio band: Sound in the range of 10 Hz to 250 Hz, dB(C).

ii.High-frequency core audio band: Sound in the range of 2,000 Hz to 8,000 Hz, dB(A).

Note: Mid frequencycore audio bandis not specifiedabove in i or ii since it doesn't typically create tonal or vibration-related issues. Itis, however, captured within both A-weighted and C-weighted measurementsspecified later in this section. The specified high and low frequencies are the most common culprits in nuisance or environmental complaints, especially from data centers (cooling fans, HVAC, etc.)

iii.Overall level and total noise in dB(A): Sound across 10 Hz to 20000 Hz.

iv.Overall level and total noise in dB(C): Sound across 10 Hz to 20000 Hz

Note: dB(A): A-weighted decibel scale (emphasizes frequencies heard by humans) and dB(C): C-weighted decibel scale (captures low-frequency noise).

v.Any noise which emanates from operation or other activity associated with any data center or research, development, or light manufacturing facility, or their accessory uses shall be limited to a "Equivalent Continuous Sound Level (LEQ)" in A-weighted decibels of 59 dB(A) (+/- 1.5 dB) and C- weighted decibels 65 dB(C) (+/- 1.5 dB) during the day (7:00 a.m. until 9:00pm) and 52 dB(A) (+/- 1.5 dB) and 58 dB(C) (+/- 1.5 dB) during the night (9:00pm through 7:00 a.m.). LEQ shall be measured over a minimum 15-minute interval for both daytime (7:00 a.m. to 9:00 p.m.) and nighttime (9:00 p.m. to 7:00 a.m.) periods. If the total spectrum measurement yields a 15dB difference between dB(A) and dB(C), additional analysis to identify any spectral peaks is required.

vi.Measurements shall be taken at the campus boundaries, using calibrated sound level meters conforming to ANSI S1.4 Type 1 or Type 2 standards, with the meter set to "Slow" response and utilizing A-weighting (dB(A)) and C-weighting (dB(C)) as appropriate. Environmental noise levels shall be tested prior to construction and in the post construction operational phase.

vii.A differential analysis across 10 Hz to 8000 Hz band utilizing dB(A) and dB(C) total band measurements shall be conducted. That differential shall not exceed:

- (1)  $\leq 15\text{dB} \pm 1.5\text{ dB}$  Daytime
- (2)  $\leq 20\text{dB} \pm 1.5\text{ dB}$  Nighttime

viii. Utilizing dB(A) and dB(C) total band measurements, a 1/3 Octave Band Analysis. shall not detect tonal components and frequency-specific noise:

- (1) A 1/3-octave band has a sound pressure level  $\geq 5\text{ dB}$  higher than the levels in the adjacent bands (on either side).
- (2) A narrowband spectral peak that stands out significantly from the background spectrum and can be clearly heard as a hum, whine, buzz, or tone.

ix.Frequency-Specific Adjustments

(1) If a noise source contains tonal components (i.e., pure tones) in the low- or high-frequency range, the following penalties apply:

(a) +5 dB penalty if the noise has distinct tonal components at 250 Hz or less (e.g., industrial fans).

(b) +3 dB penalty if the noise has tonal components above 250 Hz (e.g., squeals).

(c) These measurement penalties are added to the measured A-weighted Equivalent Continuous Sound Level (LEQ) value for analysis.

x. Sound measurements equipment standards:

(1) Measurements must be taken using calibrated sound level meters complying with ANSI S1.4 Type 1 or Type 2 standards:

(a) At the campus boundary.

(b) With the meter set to "Slow" response.

(c) With A-weighting and C-weighting applied for respective limits.

(d) Wind screening, weather condition controls, and height of measurement mic (e.g., 1.5 m above ground) shall be used for measurement equipment set-up.

xi. Sound Exemptions would include:

(1) Construction work (governed by existing noise ordinance).

(2) Emergency operations.

xii. Generator testing:

(1) Generator testing shall be conducted between 7:00 a.m. until 7:00 p.m. unless testing at a time outside of this range is required by the Department of Environmental Quality.

(2) The sound study shall be specific to the proposed site layout and building type, scale, and height shown on the site plan and shall evaluate (i) the noise conditions at the site prior to project development at set locations as determined by the Town and (ii) provide model-predicted noise conditions resulting from the proposed project post-development.

(3) The sound study shall include recommendations for mitigation measures, and which mitigation measures, if applicable, should be incorporated into conditions of issuance of site plan approval, or to issuance of building permit(s).

xiii. Post-development noise.

(1) Noise conditions at and/or within the lot will be evaluated and compared to all local code requirements within sixty (60) days after the issuance of the/a occupancy permit for each phase and/or campus facility, and annually thereafter for a period of ten (10) years. Said evaluations shall be conducted by the campus operator at a time(s) generally known for

peak data center cooling operations.

(2) Backup generators shall be housed in an interior acoustically controlled structure for noise abatement.

xiv. Where no residential or noise-sensitive receptors are present or reasonably foreseeable within 1000 feet of a data center campus, and where site-specific conditions mitigate off-site sound transmission, noise limits may be relaxed on a case-by-case basis, subject to acoustic assessment and review.

xv. Any noise testing that reveals anomalous or out-of-specification results may necessitate additional analysis, further testing, and/or the implementation of appropriate mitigation measures to ensure compliance with applicable standards and performance requirements.

## 6. Quantitative Vibration Limits.

a. No use, operation or activity shall cause or create earth borne vibrations in violation of the below vibration standards as measured at the Data Center campus boundary.

b. All measurements shall be taken prior to construction and post construction operational phase for comparative analysis and baseline vibration establishment.

c. Continuous Vibration (Steady-State Sources):

i. The peak particle acceleration shall not exceed the baseline measurement:

(1) 0.02 for frequencies  $\leq$  50 Hz.

(2) 0.001g for frequencies  $>$  50 Hz.

(3) Impulse or Intermittent Vibration:

(a) For single events occurring less than once every 5 minutes, vibration levels may not exceed 0.01 g peak acceleration.

d. Measurement Protocol, all measurements shall be:

i. Taken at the campus boundary line adjacent to data center.

ii. Conducted using ANSI S2.47-1990 or ISO 2631 compliant vibration meters.

iii. Recorded as peak acceleration (g), with frequency analysis.

e. Measurements shall be made during the loudest expected operational periods, including emergency generator testing, peak cooling demand, or routine maintenance cycles.

f. Exemptions:

i. Temporary construction-related vibration is exempt, provided it complies with applicable construction noise and hours-of-operation rules.

ii. Where no residential or vibration-sensitive receptors are present or reasonably

foreseeable within 1000 feet of a data center campus, and where site-specific conditions mitigate off-site vibration transmission, vibration limits may be relaxed on a case-by-case basis, subject to vibration assessment and review.

## 7. Outdoor Lighting Standards.

a. Lighting standards shall apply to all new data centers in Front Royal, as well as expansions or renovations involving exterior lighting.

b. A photometric Lighting Plan must accompany site/subdivision plan or building permit applications, showing:

i. Fixture locations & mounting heights.

ii. Full manufacturer's specs (cutoff, wattage, CCT, shielding).

iii. Calculated illuminance (fc) over the site and at all campus property lines.

iv. Light trespass values extending to adjacent residential or commercial zones.

### c. Fixture Requirements.

i. Fixtures  $\geq 3,000$  lumens must be full-cutoff, horizontal, and shielded to avoid upward glare.

ii. Private security lighting is allowed if motion-activated and  $\leq 30$  minutes per activation.

iii. Mounting Heights.

iv. Pole lights: Max 25 ft in industrial zones.

v. Wall-mounted lights: Max 20 ft above finished grade.

vi. Color Temperature & Efficiency.

vii. Correlated color temperature (CCT)  $\leq 3,000$  K.

viii. Minimum efficacy 110 lm/W.

ix. LED or energy-efficient equivalent mandatory.

### d. Illuminance Limits.

i.Entries/loading zones:  $\leq 10$  fc.

ii.Parking areas:  $\leq 5$  fc average.

iii.Drive aisles/internal roads:  $\leq 3$  fc.

iv.Perimeter fencing:  $\leq 1$  fc.

v.At campus property lines:  $\leq 0.2$  fc (adjacent residential);  $\leq 0.5$  fc (adjacent non-residential).

e.Controls & Dim-Down Requirements.

i.Dimming  $\geq 50\%$  within 30 minutes of facility close (unless lighting supports active operations).

ii.Photocells or timeclocks required.

iii.Occupancy sensors in low-traffic/service areas.

f.Prohibitions.

i.No exposed floodlights, cobra heads, uplighting, colored or flashing lights (unless emergency).

ii.No light trespass or glare onto surrounding public roads.

iii.Exceptions (Special Exception Only)

Security lighting exceeding standard limits may be approved if:

(1)Motion-activated or timed.

(2)Proved no glare or boundary trespass.

g.Compliance Verification.

i.Prior to Certificate of Occupancy, the applicant must submit:

(1)Field measurements from a lighting engineer, or

(2)Engineer certificate attesting full compliance.

8.Water Cooling Standards.

a.No permitted or accessory use described in the underlying zoning district shall be permitted to permanently utilize potable water for industrial cooling, including but not limited to a data center cooling.

b.Shall not apply to water requirements of domestic water (drinking water and sanitary facilities for employees and occupants) and fire suppression standards.

c. Temporary potable water for industrial cooling may be provided through a Water Service Agreement approved by the Town Council to bridge initial water requirements while an industrial reuse water cooling system is constructed.

d. Where possible, the prioritization of cooling technologies that significantly reduce water consumption (e.g., dry cooling, hybrid cooling, or air-cooled chillers) is encouraged.

e. The cooling systems proposed shall reflect a good-faith effort to incorporate resource-efficient technologies.

#### 9. Building Height Standards.

a. The maximum height shall be no more than seventy-five (75) feet.

b. The height limitation shall not apply to parapets, screening, spires, belfries, cupolas, roof mounted antennas or communications towers, air cooling ventilation equipment, ventilators, or other appurtenances usually required to be placed on the roof level and not intended for human occupancy, which shall be subject to the exception stated in Town Code.

c. A Special Exception may be permitted via the Special Use Permit process.

#### 10. Building Size Standards.

a. The maximum size of an individual building is 100,000 square feet. A special exception is required to exceed this size. A special exception may be permitted via the Special Use Permit process.

#### 11. Differentiated Surfaces Standards.

a. Any building facade visible from adjacent properties or public streets shall incorporate a differentiation that breaks the mass of the facade every 100 horizontal linear feet and no less frequent than 3 times the average height of the building by changes in at least two of the following design elements: building height, facade step-back or recesses (minimum 2 1/2 feet depth), fenestration, façade materials, pattern, texture, color, or use of accent materials. All visible facades of a building must be consistent in terms of design, materials, details, and treatment.

b. Windows, doors, or similar fenestration design features such as faux windows must be distributed horizontally and vertically across the façade and comprise a minimum of 15% of each visible building façade. A green-wall treatment may be provided to meet up to half of the required 15% area.

c. The following elements shall be included in the building design:

i. A main entrance feature that is differentiated from the remainder of the façade.

ii. High albedo or light-colored roof.

iii. Enclosures for on-site generators.

iv. Shrouds for any exhaust stacks.

## 12. Building façade material requirements.

a. Primary facade materials shall be limited to one or more of the following: tinted textured masonry block, pre-cast concrete, tilt-up concrete panels, brick or stone veneer, glass (clear or architectural panels), stucco and external insulation finish system that simulates a stucco appearance, metal panel systems, structural metal siding, or smooth-faced concrete blocks. All metal panels shall be fully engineered, architectural quality systems.

b. Accent or trim building materials may include any of the primary facade materials, wood, fiber cement, vinyl, or composite trim.

c. Data Center Parking Standards.

## 13. Parking.

a. Small data center: 1 parking space/1,000 square feet.

b. Large Data Center: 4 parking spaces for the first 4,000 square feet and a maximum of 1 parking space for every additional 6,000 square feet.

## 14. Additional testing and evaluations.

a. Additional testing, analysis, or documentation may be required if the application or testing contains ambiguities, inconsistencies, or lacks sufficient detail to assess compliance with applicable standards.

## 175-74 Data Center Impact Analysis (I-2)

### A. Required Utility Impact Analysis (UIA)

Applicants must include a UIA certified by a Professional Engineer, containing:

#### 1. Electrical System Impacts.

a. Projected peak & average load (MW).

b. Power delivery plan from energy provider and impact shall include Backup Generator plans.

c. Grid impact assessment: load studies, reliability analysis.

d. Utility coordination documentation verifying capacity or required upgrades.

e. Statement on cost/responsibility for infrastructure enhancements (e.g., private vs. public).

#### 2. Water & Wastewater Assessment.

If applicable:

a. Daily and peak water usage (gallons/day).

b. Cooling technology description (closed-loop, evaporative, reuse).

c. Impact analysis on municipal water/wastewater systems.

d. Water treatment plan for recycled water and other fluids.

e. Correspondence from the Town of Front Royal/Public Works on capacity & fees.

### 3. Telecommunications Infrastructure.

a. Summary of fiber/broadband needs and planned connectivity.

b. Confirmation from providers regarding availability and capacity.

### 4. Sustainability & Efficiency Measures.

a. Energy-efficiency features, including Power Use Effectiveness (PUE) targets.

b. On-site renewable energy or offset strategies.

c. Noise and heat mitigation strategies (e.g., screening, sound dampening, limited generator testing hours).

### 5. Review Criteria.

a. Adequate utility capacity and service availability.

b. Whether infrastructure upgrades are funded by the developer, not taxpayers.

c. Environmental/sustainability mitigations and community impacts (noise, heat, water use).

## B. Data Center Physical Impact Analysis.

### Purpose

To ensure new data centers can integrate within the surrounding environment by evaluating their physical impacts to include the following: 1) Noise; 2) Heat and Air Emissions; 3) Traffic and Access; 4) Visual and Aesthetic; and 5) Vibration and Ground.

Applicants must submit a Physical Impact Analysis (PIA), prepared by a qualified engineer, architect, or planner, as part of the zoning or site plan application. The PIA shall include the following:

#### 1. Noise Impact Study.

a. Assessment of projected operational noise (e.g., cooling units, generators) at campus property boundaries.

b. Description of generator testing schedules and backup systems.

c. Comparison to Town noise ordinance thresholds (in dBA).

d. Mitigation measures: sound walls, enclosures, operational limits.

#### 2. Heat and Air Emissions Impact.

a. Analysis of waste heat discharge from servers and HVAC systems.

b. Evaluation of any thermal plumes or heat impacts on adjacent properties or ecosystems.

c. Description of cooling system emissions (water vapor, particulates if using evaporative or diesel systems).

d. Heat mitigation strategies: green roofs, heat exchangers, landscaping, exhaust redirection.

### 3. Traffic and Access Impact.

a. Description of construction and operational traffic volumes, including truck deliveries, equipment servicing, employee vehicles.

b. Peak trip generation analysis using Institute of Transportation Engineers (ITE) standards (Land Use 770: Data Center).

c. Truck routing and site access plans.

d. Traffic mitigation strategies: turn lanes, signalization (if warranted).

e. Coordination with Town and VDOT if applicable.

### 4. Visual and Aesthetic Impact.

a. Rendered site elevations or photomontages showing the facility from public roads and adjacent uses.

b. Analysis of height, scale, and bulk compared to surroundings.

c. Screening plans: landscaping, fencing, architectural treatments.

d. Exterior lighting plan demonstrating compliance with dark sky standards.

### 5. Vibration and Ground Impact (if applicable).

a. Analysis of potential vibration impacts from generators, cooling towers, or mechanical systems.

b. Mitigation strategies: vibration dampers, equipment pads, sound-absorbing materials.

### 6. Land Use Compatibility Assessment.

a. Assessment of how the facility aligns with adjacent zoning, comprehensive plan, and surrounding land uses.

b. Identification of sensitive uses nearby (residential, schools, parks, trails).

c. Compatibility strategies: setbacks, buffering, hours of operation, community engagement.

### 7. Review Criteria.

The Zoning Administrator and Planning Commission shall evaluate the PIA for:

- a. Conformance with Town noise and lighting regulations.
- b. Adequacy of visual screening and building orientation.
- c. Impacts on neighboring land uses and mitigation adequacy.
- d. Safe and sufficient traffic circulation and site access.
- e. Compliance with sustainability and resiliency goals in the Town's Comprehensive Plan.

#### 8. Conditions of Approval.

- a. Approval of a zoning permit or site plan for a data center shall be contingent upon satisfactory mitigation of any significant physical impacts identified in the PIA.
- b. Noise testing, generator operation logs, or traffic monitoring may be required as conditions of approval.

#### 9. Enforcement and Monitoring.

- a. The Town shall require a post-construction physical impact audit to verify compliance with approved mitigation measures.
- b. Violations of approved physical performance standards may result in fines, operating restrictions, or permit revocation.

### C. Data Center Environmental Impact Analysis

#### Purpose

To evaluate and mitigate the potential environmental impacts of data center development—particularly land disturbance, air and water quality degradation, and energy and carbon intensity, in a manner that protects the Shenandoah Valley's natural resources and supports sustainable land use in the Town of Front Royal.

#### Required Environmental Impact Analysis (EIA)

Applicants shall submit an Environmental Impact Analysis (EIA) prepared by a qualified environmental consultant, certified engineer, or licensed planner. The EIA must be submitted as part of the rezoning application package:

##### 1. Land Disturbance and Soil Impact Assessment.

- a. Total area of grading, clearing, and impervious surface coverage.
- b. Soil erosion potential and slope stability (per NRCS classification).
- c. Mitigation measures: erosion & sediment control plan, phased clearing, vegetated buffers.

##### 2. Stormwater, Wastewater and Water Quality Analysis.

- a. Stormwater runoff projections under pre- and post-development conditions.

b. Identification of potential pollutants of concern (e.g., heated discharge, oils, sediment).

c. Description of Best Management Practices (BMPs) and green infrastructure used (e.g., bioswales, retention basins).

d. Compliance with VA DEQ stormwater regulations and Town stormwater ordinance.

e. Impacts on nearby surface waters or floodplains (e.g., Shenandoah River tributaries).

f. Plans for treatment of waste water from industrial processes. Waste water must be treated to applicable EPA standards either on site or removed for treatment elsewhere before release.

### 3. Air Quality and Emissions Impact.

a. Estimation of greenhouse gas emissions, diesel generator emissions (NO<sub>x</sub>, PM<sub>2.5</sub>, CO<sub>2</sub>).

b. Identification of airborne pollutants during construction and backup power use.

c. Mitigation plans: generator testing limits, air filtration, clean diesel or battery backup.

### 4. Energy and Carbon Intensity Analysis.

a. Projected annual energy consumption and Peak Load in Mega Watts (MW).

b. Use of renewable energy sources, energy efficiency measures Power Use Effectiveness (PUE) targets, server cooling efficiency).

c. Carbon offset strategies, if applicable.

d. Leadership in Energy and Environmental Design (LEED) or equivalent sustainability certification plan (if proposed).

### 5. Ecological and Habitat Impact Assessment.

a. Description of site's pre-development vegetation, habitat, and biodiversity.

b. Inventory of wetlands, streams, or critical habitats based on field survey or state/federal datasets.

c. Documentation of compliance with the Chesapeake Bay Preservation Act, if applicable.

d. Wildlife impact mitigation (e.g., tree preservation, fencing, lighting restrictions for nocturnal species).

### 6. Hazardous Materials and Spill Prevention Plan.

a. Identification of onsite fuel or chemical storage (e.g., diesel, refrigerants, batteries).

b. Spill containment and response strategies.

c. Emergency environmental response procedures and coordination with Fire & EMS.

## 7. Facility Life Cycle Plan.

- a. A facility life cycle plan shall be included prior to approval of site plan.
- b. Comprehensive planning to provide information needed to make sound decisions about facility project planning and base development.
- c. Design.
  - i. The materials, technologies, and types of systems chosen that have a direct and life-long impact on operation, maintenance, repair, and dispose of the facility.
- d. Restoration and Disposal.
  - i. Plans for repurposing, demolition and rehabilitation of land after end of use of facility.

## 8. Review Standards.

The Zoning Administrator, Town Council (Town Engineer), and Planning Commission shall evaluate the EIA to determine:

- a. Whether proposed mitigation sufficiently reduces impacts to soil, air, water, and habitat.
- b. If the project complies with Town ordinances, State DEQ standards, and federal Clean Water/Air Acts.
- c. The project's alignment with sustainable development goals of the Town Comprehensive Plan.

## 9. Conditions of Approval.

Approval of any zoning, site plan, or zoning permit for a data center is contingent upon:

- a. Town verification of compliance with applicable stormwater, erosion, and pollution control measures.
- b. Developer commitment to implement all environmental mitigations identified in the approved EIA.
- c. Provision of updated documentation if project changes increase environmental footprint.

## 10. Post-Construction Monitoring.

For major facilities, the Town may require annual post-construction reporting, submitted to Planning and Zoning on:

- a. Actual energy use and carbon emissions vs. projected.
- b. Groundwater or surface water sampling.
- c. Long-term maintenance of stormwater Best Management Practices (BMPs) and erosion controls.

**This ordinance shall become effective upon passage.**

APPROVED:

\_\_\_\_\_  
Lori A. Cockrell, Mayor

ATTEST:

\_\_\_\_\_  
Hillary Wilfong, Deputy Clerk of Council

This Ordinance was adopted at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on \_\_\_\_\_, 2026 upon the following recorded vote:

R. Wayne Sealock	<input type="checkbox"/> Yes <input type="checkbox"/> No	H. Bruce Rappaport	<input type="checkbox"/> Yes <input type="checkbox"/> No
Joshua L. Ingram	<input type="checkbox"/> Yes <input type="checkbox"/> No	Melissa DeDomenico-Payne	<input type="checkbox"/> Yes <input type="checkbox"/> No
Amber F. Veitenthal	<input type="checkbox"/> Yes <input type="checkbox"/> No	Glenn E. Wood	<input type="checkbox"/> Yes <input type="checkbox"/> No

A public hearing on the above was held on \_\_\_\_\_ having been advertised in the Northern Virginia Daily on June 8 and June 15, 2026.

\*\*\*\*\*

Approved as to Form and Legality:

\_\_\_\_\_  
George M. Sonnett, Jr., Town Attorney

Dated: \_\_\_\_\_



**REGULAR COUNCIL MEETING  
CONSENT AGENDA STATEMENT**

**Meeting Date: June 22, 2026**

**Item# 10A**

**Agenda Item: Hourly Wood Grinding Service Contract**

**Summary:** Council is requested to approve the award of a one-year wood grinding service contract for the Department of Public Works at the Manassas Avenue Disposal Site to Green Waste Recyclers, LLC, of Front Royal, Virginia. The contract includes an option to renew for up to four (4) additional one-year terms. The procurement will be made through cooperative contracting in accordance with the Virginia Public Procurement Act, utilizing Fauquier County Contract #IFB 22-24SBC, which was awarded to Green Waste Recyclers, LLC. Staff obtained a quote from the contractor in the amount of \$725 per hour, plus a one-time mobilization charge of \$750. The hourly rate includes the operator, equipment, and fuel.

**Budget/Funding:** Funding is available within the Department of Public Works FY26 under the following line item:  
4203-43002 Public Works – Solid Waste Management

**Meetings:** Work Session held June 1, 2026

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion:** I move that Council approve the award of a one-year wood grinding service contract to Green Waste Recyclers, LLC at a rate of \$725 per hour plus a one-time mobilization fee of \$750, with the option to renew for up to four additional one-year terms.

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Rappaport* \_\_\_\_\_ *DeDomenico-Payne* \_\_\_\_\_ *Ingram* \_\_\_\_\_ *Wood* \_\_\_\_\_ *Sealock* \_\_\_\_\_ *Veitenthal* \_\_\_\_\_



## Town of Front Royal Public Works

### MEMORANDUM

**TO:** Michelle Campbell, Purchasing Manager

**CC:** BJ Wilson, Assistant Town Manager/ Finance Director

**FROM:** Robert B Boyer, Public Works Director

**DATE:** May 27, 2026

**SUBJECT:** Recommendation to proceed with a contract for brush grinding services with Green Waste Recyclers, LLC.

I would like to recommend proceeding with a contract with Green Waste Recyclers, LLC, which is owned by Timber Works for brushing grinding services for the Manassas Ave disposal site. The contract price is \$725.00 per hour for grinding services and \$750.00 for mobilization. We have used Timber Works in the past for brush grinding service, and the quality of their work was good, and their staff was very professional and safe. The funding for these services is already budgeted under 4203-3002.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.

# Green Waste Recyclers, LLC

Billing/Payment Address:

404 Fairground rd.

Front Royal VA 22630

(540) 825-1966 (t) [greenwasterecyclersllc@gmail.com](mailto:greenwasterecyclersllc@gmail.com) (e)

*Tub Grinding, Mulch, Bobcat Service, Lot Clearing, Tree Removal, Landscaping and Stump Removal*

**Proposal Date: 5-4-26**

**Proposal Submitted To: Town of Front Roal**

**Street: See Location**

**City, State: Front Royal Va**

**Job Location: 1101 Manassas Ave**

**Attn: Robbie Boyer**

**Phone: 5406357819**

**Email:**

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## Description of Work

*We Heby Submit Specifications and Estimates For The Following Work To Be Performed Subject To The Terms Listed Below*

Hourly Wood debris grinding at Manassas Ave dump site. Grinding to be done with Morbark 3400XT Horizontal Grinder

\$725 per hr. Plus one time charge of \$750 for mobilization.

Price Per Hr includes operator, equipment and fuel.

Green Waste Recyclers has a Contract Rider with Fauquier County Landfill for IFB22-24sbc.

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*Not included in price - construction entrance, traffic control, creek crossing, erosion control and water truck for dust control or tire/road wash*

We propose hereby to furnish material and labor-complete in accordance with above specifications, for the sum of:

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IT IS AGREED BY AND BETWEEN THE PARTIES THAT THE FOLLOWING PROVISIONS ARE MADE A PART OF THE CONTRACT BETWEEN THEM AND THAT THIS INSTRUMENT AND ITS ATTACHMENTS CONSTITUTE THEIR ENTIRE AGREEMENT.

**Workmanship By Contractor** – Green Waste Recyclers, LLC warrants that the work to be performed will be accomplished in a neat and workmanlike manner by experienced personnel outfitted with the necessary tools and equipment to do the job properly.

**Tree Ownership By Customer** – The Customer warrants that all trees listed in this contract are located on his property, and if not, that he has obtained permission from the owner to allow Green Waste Recyclers, LLC, to remove them. Should any tree be mistakenly identified as to ownership, the Customer agrees to indemnify Green Waste Recyclers, LLC for any costs or damages incurred as a result thereof, including any and all court and reasonable attorney's fees.

**Concealed Contingencies** – The customer agrees to pay Green Waste Recyclers, LLC, on a time and materials basis for any additional work required to complete the job occasioned by concrete or other foreign matter in the stumps, trunk s or branches; rock, pipe, or electrical lines encountered in excavations; or any other conditions not apparent in estimating the work specified. The Customer agrees to contact utilities for any underground clearance and/or marking of utilities.

**Access** – Customer shall provide an ingress and egress for equipment. Bid does not include constructing entrances for equipment.

**Performance By Contractor** – Green Waste Recyclers, LLC agrees to do its best to meet performance dates but shall not be held liable in damages or otherwise due to delays caused by inclement weather or any other cause beyond its control; nor shall the Customer be relieved of performance because of delays.

**Performance By Customer** – Customer to provide use and/or operators of off road trucks to transport cleared material to the designated staging area, as directed by Green Waste Recyclers, LLC.

**Disposal of Grindings** – Unless otherwise indicated herein, the finished grinding material will be left on premises.

**Terms of Payment** – Unless otherwise agreed to and indicated herein, the Customer agrees to settle his account with Green Waste Recyclers, LLC, upon completion of work. **Accounts not paid when due are subject to a service charge of 1.5% per month, 18% annually.** Should there be a default in payment of this agreement and it is placed in the hands of an attorney for collection, the acceptor agrees to pay **all** costs of collection, including all attorney fees. Venue of suit shall be in Culpeper County, Virginia.

**Additional Terms** – Customer shall defend, indemnity and hold Green Waste Recyclers, LLC its officers and employees harmless from and against any and all claims, expenses, or other liability resulting from or arising out of the use or possession of the Equipment by the Customer or while under the direction of the Customer. Customer shall also hold Green Waste Recyclers, LLC its officers and employees harmless from and against any flying debris liability as a result of the use or hiring of Equipment.

**Acceptance of Proposal** – I have read and understand the above provisions and the above prices, specifications and conditions

are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.  
Faxed signature shall be deemed as original.

**Typed/Printed Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date of Acceptance:** \_\_\_\_\_



**REGULAR COUNCIL MEETING  
CONSENT AGENDA STATEMENT**

**Meeting Date: June 22, 2026**

**Item# 10B**

**Agenda Item: Downtown Parking Study**

**Summary:** Council is requested to approve the award of a task order to Timmons Group, Inc. in the amount of \$50,000.00 to complete the Downtown Parking Study. The study will provide a comprehensive assessment of existing parking conditions, utilization trends, and potential parking management strategies within the study area. It is intended to support future planning efforts by providing data-driven recommendations related to parking availability, operations, and the potential implementation of paid parking.

In accordance with the Virginia Public Procurement Act, Timmons Group, Inc. was previously awarded a contract for On-Call General Civil Engineering Services by Town Council on June 23, 2025. Pursuant to the Town’s procurement policy, Council approval is required for engineering services exceeding \$50,000.

**Budget/Funding:** Funds were previously budgeted for asset management and were set aside on Town purchase order number 30802 under the following line item:

8101-R43002    Planning & Zoning – Professional Services    \$50,000.00

**Meetings:** Work Session held June 1, 2026

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion:** I move that Council approve the award of a task order to Timmons Group, Inc., in the amount of \$50,000.00, for completion of the Downtown Parking Study pursuant to the Town’s existing On-Call General Civil Engineering Services contract.

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Rappaport* \_\_\_\_\_ *DeDomenico-Payne* \_\_\_\_\_ *Ingram* \_\_\_\_\_ *Wood* \_\_\_\_\_ *Sealock* \_\_\_\_\_ *Veitenthal* \_\_\_\_\_

## **Memorandum- Downtown Parking Study**

**To:** Michelle Campbell

**From:** Lauren Kopishke

**Date:** May 18, 2026

**Subject:** Recommendation for Approval – Downtown Parking Study Task Order with Timmons Group

The purpose of this memorandum is to recommend approval of a task order with Timmons Group for completion of a downtown parking study in the amount of \$50,000.

The proposed study will provide the Town with a comprehensive assessment of existing parking conditions, utilization trends, and potential parking management strategies within the downtown study area. The project is intended to support future planning efforts and provide data-driven recommendations regarding parking availability, operations, and potential paid parking implementation.

The scope of services includes three primary tasks:

### **Task 1 – Existing Conditions & Inventory**

Timmons Group will conduct a detailed parking inventory and occupancy analysis of public and private parking facilities within the study area. Work will include:

- Inventory of surface parking lots and on-street parking spaces
- Documentation of parking characteristics, including ADA and EV spaces
- Parking occupancy counts during multiple time periods
- GIS-based mapping and analysis
- Inventory of parking signage
- Main Street occupancy counts to evaluate potential paid parking feasibility

### **Task 2 – Parking Study Report**

Timmons Group will prepare a comprehensive parking study report summarizing:

- Existing parking conditions and utilization
- Parking supply and demand analysis
- Graphic exhibits and mapping
- Recommendations for parking management improvements

- Evaluation of potential paid parking strategies, including technology, revenue considerations, and enforcement implications

Deliverables will also include GIS-based web mapping resources for use by Town staff.

### **Task 3 – Project Meetings**

The consultant will attend meetings with Town staff, facilitate one stakeholder/community meeting, and present findings to Town Council.

The proposed schedule anticipates field work beginning following Notice to Proceed, with draft report completion within approximately four weeks of utilization field data collection.

The total fixed fee for the project is summarized below:

<b>Task</b>	<b>Fee</b>
Existing Conditions & Inventory	\$30,000
Parking Study Report	\$15,000
Project Meetings	\$5,000
<b>Total</b>	<b>\$50,000</b>

Staff believes this study is necessary to better understand current downtown parking conditions and to support future policy and infrastructure decisions related to parking management and economic activity within the downtown area.

Accordingly, staff recommends approval of the task order with Timmons Group in the amount of \$50,000.

*Lauren Kopishke*

*Director of Planning and Zoning / Zoning Administrator*



January 8, 2026

Lauren Kopishke  
Town of Front Royal  
Dept. of Planning and Zoning  
102 E Main Street  
Front Royal, VA 22630

**RE: Downtown Parking Study**

Lauren,

In accordance with our recent discussions, Timmons Group has developed the attached project scope of services and fee proposal for providing the Town with a parking study for that covers the Downtown Business Area and the Chester Street Area. The study will build upon the 2019 downtown parking study, review existing conditions within the study area for signage considerations, and review utilization of on-street parking, public off-street parking lots, and private off-street parking lots.

We appreciate the opportunity to prepare this proposal and look forward to serving the Town on this project. If you have any questions or if I can provide you with any additional information in this regard, please do not hesitate to contact me at (804) 200-6430 or by email at [thomas.ruff@timmons.com](mailto:thomas.ruff@timmons.com).

Sincerely,

*Thomas Ruff*

Thomas B. Ruff, PE, PTOE, AICP  
Senior Project Manager

CC: Lauren Delmare, Timmons Group

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PROJECT: Downtown Parking Study  
Downtown Business Area & Chester Street Area  
Town of Front Royal

CLIENT: Lauren Kopishke  
Town of Front Royal

DATE: January 8, 2026

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### **Scope of Services**

The project scope covers the work associated with utilizing field personnel staffing, site visits, and aerial imagery information to perform a parking study within the Downtown Business Area and Chester Street Area in the Town of Front Royal, Virginia. The project scope of work is intended to provide completion of a field review of existing conditions for signage, a field review of utilization multiple times per day, a review of on-street parking signage, and a utilization rate analysis of the on-street and off-street parking areas within the study area.

The Downtown Business Area includes Main Street, Royal Avenue, Peyton Street, Union Street, 1<sup>st</sup> Street, 2<sup>nd</sup> Street, and Crescent Street. It is roughly bounded by Commerce Avenue to the east, Cherry Street to the west, Jackson Street to the south, and 2<sup>nd</sup> Street to the north.

The Chester Street Area includes Chester Street from 2<sup>nd</sup> Street to Main Street, as well as some side streets along Laura Virginia Hale Place and Peyton Street.

The scope presented below is based on information received from the Town of Front Royal regarding the requested work. The project scope/assumptions will be finalized with the Town prior to moving forward with the project.

All work outlined below will be prepared in accordance with generally accepted engineering principles and discussed/shared with the Town throughout the duration of the project.

### *Task 1 – Existing Conditions & Inventory*

Timmons Group will conduct an existing conditions inventory and occupancy analysis of parking in the study area using staff in the field. This effort will support the Town’s planning needs by providing an accurate snapshot of parking supply and utilization across all public and private parking surface lots, as well as on-street parking spaces. Timmons Group will prepare preliminary mapping exhibits for the project area based on the fieldwork, aerial photography, and any other additional provided by the Town.

This task will include:

- Documentation of all parking spaces in the study area, counting total supply and observed occupancy. This includes all surface lots owned or operated by the Town, as well as those under private ownership, along with their attributes (capacity, rates, time limits, ADA/EV provisions). For private facilities, Timmons Group will coordinate directly with the appropriate owners or operators to obtain any necessary access permission. On-street parking areas within the study area boundary will be included in a separate but integrated inventory effort.
- Field data collection will be completed using multiple staff members on site. The data collection will be enhanced with GIS tools to efficiently capture asset locations and characteristics. All collected data will be integrated into a GIS platform for analysis and verification.
- Collection of parking data during up to five (5) different time periods in one day to capture variation in occupancy. Suggested days and times will be provided to the Town based on typical demand patterns and best practices for occupancy studies. Data collection will not commence until the Town reviews and approves the proposed schedule. Ten (10) hours of hourly data collection for on-street parking occupancy on Main Street from Commerce Street to Royal Avenue will be collected for the purpose of evaluating paid parking. If additional days or counts are required, additional fee will be required.
- Inventory of on-street parking signage.
- Each inventory will include the total count of parking spaces and the number of vehicles observed occupying those spaces at the time of survey. Counts will be distinguished by parking type. From this data, Timmons Group will assess whether any surpluses or deficits in parking availability exist during the surveyed periods.
- Document the procedures used to conduct the existing conditions inventories, document the results, and summarize how relevant parking regulations and zoning data were reviewed.

**This task does not include detailed survey work. Please see attached option scope of services that will allow the use of 360-degree imagery to capture all existing conditions and parking**

### *Task 2 – Parking Study Report*

Timmons Group will produce a comprehensive report and supporting materials summarizing the overall parking study's findings and recommendations. The report will include an executive summary, detailed analysis, and graphic exhibits (up to eight maps, charts, and/or tables) illustrating parking inventory, occupancy and proposed changes. GIS deliverables will include an ArcGIS Online web map or Hub site to share parking data and key statistics.

This task will include:

- Incorporation of the existing conditions inventory elements, on-street parking signage discussion, utilization discussion, and any recommendations.
- The report will include detailed analysis graphic exhibits illustrating parking conditions and proposed recommendations.
- Feasibility assessment of potential paid parking strategies for the study area, including existing conditions, purpose and need for paid parking, payment technology options, revenue potential, applicability to the study area, and enforcement considerations. Any additional information that is provided through meetings with Town staff or that may be affected based on upcoming public projects or private developments within the study area.

### *Task 3 – Project Meetings*

Timmons Group staff will be available to attend one (1) Town Council meeting to present the project findings and assist Town staff in answering questions regarding the project. Work will include preparing any materials for the presentation, as well as manhours for attending the meeting.

Timmons Group will attend up to one (1) stakeholder/community meeting to discuss and gather feedback on study findings and recommendations, including paid parking considerations. Work will include preparing meeting materials.

Timmons Group staff will plan to attend up to three (3) meetings with Town staff during the length of the project. The assumed meetings include the kick-off meeting to finalize parameters, a meeting to discuss the field visit findings, and a meeting to discuss the draft report.

## **Schedule**

Based on the work outlined above, the following schedule is anticipated:

<i>Notice to Proceed (NTP)</i>	<i>To Be Determined with Town Staff</i>
<i>Initial Field Visit &amp; Documentation</i>	<i>Spring 2025</i>
<i>Utilization Field Visit</i>	<i>To Be Determined with Town Staff</i>
<i>Draft Report</i>	<i>Within 4 weeks of Utilization Field Visit</i>
<i>Stakeholder/Community Meeting</i>	<i>To Be Determined with Town Staff</i>
<i>Final Report</i>	<i>Within 2 weeks of Comments</i>
<i>Town Council Meeting</i>	<i>To Be Determined with Town Staff</i>

The provided schedule serves only as a guideline. Timmons Group will work with the client as necessary to accommodate project deadlines within reason.

## **Proposed Fee**

<i>Task 1 – Existing Conditions &amp; Inventory</i>	<i>\$30,000</i>
<i>Task 2 – Parking Study Report</i>	<i>\$15,000</i>
<i>Task 3 – Project Meetings</i>	<i>\$5,000</i>
<b><i>Total Fixed Fee</i></b>	<b><i>\$50,000</i></b>

The project is a fixed fee lump sum for the services outlined. The fee shall not deviate from the figure indicated above without prior written approval from the Client. If for any reason a change to this fixed-fee agreement becomes necessary, the Client will be notified by a Change Order written by the Project Manager. After the date of this agreement, changes in the scope of work required by reviewing agencies, or by Client revisions, may require a Change Order.

It is anticipated that all coordination/discussion and response to comments with the Client will be handled via phone and email.

## **Specific Exclusions**

Please note that the fee proposal does not include the following:

- Topographic survey work
- Right-of-way coordination/acquisition
- Preparation of right of way dedication plats
- Geotechnical Investigations
- Attendance at or preparation for individual property owner, citizen information meetings, public hearings, or project meetings other than specifically described above.
- Staking the proposed centerline or right-of-way limits for field review prior to construction, property owner reviews, utility company requests, or work during bidding/construction.
- Environmental investigations or analysis
- Preparation of detailed design or construction plans based on field topographic survey for recommended transportation improvements.
- The design of utility (public or private, wet, or dry, etc.) adjustments or relocations.
- Traffic data collection, impact studies, or traffic studies.
- Design of traffic signals or traffic signal modifications.
- Any items other than those specifically described above.

If determined necessary or desirable during the detailed design of this project, fees for any of these additional services can be quoted upon request.



By signing this *Letter of Agreement*, you indicate that you have read and accepted the terms of this proposal, which includes the Scope of Services, Fee Proposal, and Schedule. All agreed upon terms and conditions related to the overall work will be in conformance with the on-call engineering agreement between Timmons Group and the Town of Front Royal.

We will proceed upon receipt of this signed agreement. Should you have any questions, you can reach Thomas Ruff at (804) 200-6430 or via email at [Thomas.Ruff@Timmons.com](mailto:Thomas.Ruff@Timmons.com).

*Acknowledged & Accepted:*

\_\_\_\_\_  
*Client Signature*

\_\_\_\_\_  
*Timmons Group Signature*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Title*



**REGULAR COUNCIL MEETING  
CONSENT AGENDA STATEMENT**

**Meeting Date: June 22, 2026**

**Item# 10C**

**Agenda Item:** Re-appointment of Non-Elected Representative to the Northern Shenandoah Valley Regional Commission (NSVRC)

**Summary:** Council is requested to reappoint Director of Planning Lauren Kopishke as the non-elected representative to the Northern Shenandoah Valley Regional Commission (NSVRC) to a three-year term ending June 30, 2026.

**Budget/Funding:** N/A

**Meetings:** Work Session held June 1, 2026

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion:** I move that Council reappoint Director of Planning Lauren Kopishke as the non-elected representative to the Northern Shenandoah Valley Regional Commission (NSVRC) to a three-year term ending June 30, 2029.

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Rappaport* \_\_\_\_\_ *DeDomenico-Payne* \_\_\_\_\_ *Ingram* \_\_\_\_\_ *Wood* \_\_\_\_\_ *Sealock* \_\_\_\_\_ *Veitenthal* \_\_\_\_\_



**REGULAR COUNCIL MEETING  
CONSENT AGENDA STATEMENT**

**Meeting Date: June 22, 2026**

**Item# 10D**

**Agenda Item:** Amendment to the FOIA Policy

**Summary:** Council is requested to approve an amendment to the Freedom of Information Act (FOIA) Policy to remove the names and contact information of the designated FOIA Officers. Staff has determined that including this information within the policy is redundant, as the Town maintains and publishes the required FOIA Officer contact information on its website in accordance with state law. The amendment will also remove the contact information of retiring FOIA Officer Tina Presley and ensure future personnel changes do not require policy amendments solely for contact information updates.

**Budget/Funding:** N/A

**Meetings:** Work Session held June 8, 2026

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion:** I move that Council approve the amendment to the Freedom of Information Act (FOIA) Policy as presented.

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Rappaport* \_\_\_\_\_ *DeDomenico-Payne* \_\_\_\_\_ *Ingram* \_\_\_\_\_ *Wood* \_\_\_\_\_ *Sealock* \_\_\_\_\_ *Veitenthal* \_\_\_\_\_

**RIGHTS AND RESPONSIBILITIES:**  
**The Rights of Requesters and the Responsibilities of the Town of Front Royal**  
**under The Virginia Freedom of Information Act**

The Freedom of Information Act (FOIA), §2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth of Virginia, representatives of newspapers and magazines with circulation in the Commonwealth, and representatives of radio and television stations broadcasting in or into the Commonwealth access to public records held by public bodies, public officials, and public employees during regular office hours of the custodian of such records. A public record is defined as all writings and recordings of any format, however stored, that is in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, state statutory exemption applies.

**Your FOIA Rights**

- You have the right to request to inspect or receive copies of public records, or both.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, you may contact the FOIA Council for a nonbinding advisory opinion.

**Making a Request for Records from the Town of Front Royal**

The Town of Front Royal requires you to provide your name and legal Virginia address. Once confirmed, you may request public records by U.S. Mail, email, fax, in person or over the phone. From a practical perspective, it may be helpful to both you and the FOIA Officer to put your request in writing. This allows you to create a record of your request. It also gives a clear statement of what records you are requesting, so there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect not to put it in writing. The FOIA Officer will make every effort to clarify the type of records you are seeking or attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss your request with you to ensure that we understand what records you are seeking.

Your request must identify the records you are seeking with “reasonable specificity.” This is a common-sense standard that does not refer to or limit the volume or number of records that you are requesting. The request must be for existing records. FOIA does not apply to a situation where you ask general questions about the work of the Town of Front Royal, nor does it require us to create a record that does not exist.

Prior to conducting the search for your records request, we shall notify you in writing that we may make reasonable charges not to exceed actual cost incurred in accessing, duplicating, supplying or searching for requested records and inquire if you would like to request a cost estimate in advance of supplying the requested records.

~~The Town of Front Royal has two FOIA Officers for public records requests:~~

~~**General Administration Records:** You may direct your request to Tina L. Presley, at Front Royal Town~~

~~Hall, 102 E. Main Street, (540)635-8007, FAX (540)636-7475 [tpresley@frontroyalva.com](mailto:tpresley@frontroyalva.com) or [foia@frontroyalva.com](mailto:foia@frontroyalva.com).~~

~~**Police Department Records:** You may direct your request to Rebecca Gallagher, at Front Royal Police Department, 900 Monroe Avenue, (540)635-2111, FAX (540) 635-6160 or [rgallagher@frontroyalva.com](mailto:rgallagher@frontroyalva.com).~~

### **The Town of Front Royal's Responsibilities in Responding to Your Request**

The Town of Front Royal will respond to a request within five (5) working days of receiving the records request. "Day One" is considered the day after the request is received. The five-day period does not include weekends or holidays. FOIA requires that we make one of the following responses to your request within the five (5) working days:

- We provide the records that have been requested in their entirety.
- We withhold all the records requested, because all the records are subject to a specific statutory exemption. If all the records are being withheld, a response in writing will be sent with an explanation of the exemption. The response will identify the volume and subject matter of the records being withheld and state the specific section of the Code of Virginia that allows the records to be withheld.
- We provide some of the records that have been requested but withhold other records. An entire record will not be withheld only if a portion of it is subject to an exemption. In that instance, the portion of the record that may be withheld will be redacted, the remainder of the record will be provided. A written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld will be sent.
- We inform you in writing that the requested records cannot be found or do not exist. However, if we know that another public body has the requested records, contact information for the other public body will be included in the response.

If it is practically impossible for us to respond to your request within the five (5) working day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us an additional seven (7) working days to respond to your request, giving us a total of twelve (12) working days to respond to your request. For criminal investigative files see §2.2-3606.1 of the Code of Virginia.

If it is determined that the request cannot be provided within twelve (12) working days without disrupting other organizational responsibilities, we may petition the court for additional time to respond to the request. However, FOIA requires a reasonable effort to reach an agreement with the requester concerning the production of the records before going to court to ask for more time.

### **Charges**

A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records and shall make all reasonable efforts to supply the requested records at the lowest possible cost. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any

duplicating fee charged by a public body shall not exceed the actual cost of duplication. Prior to conducting a search for records, the public body shall notify the requester in writing that the public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for requested records and inquire of the requester whether he would like to request a cost estimate in advance of the supplying of the requested records as set forth in subsection F of §2.2-3704 of the Code of Virginia.

You may have to pay for the records you request from the Town of Front Royal. This includes staff time spent searching for the requested records, copying costs or any other costs directly related to supplying the requested records. There will be no charge to fulfill your request if it takes us one hour or less to complete. If the estimated cost is more than \$200.00, a deposit will be required (not to exceed the amount of the estimate), before proceeding with the request. If we receive no response from the requester within thirty (30) days of sending the cost estimate, the request shall be deemed withdrawn. If money is owed from a previous FOIA request that has remained unpaid for more than thirty (30) days, the Town of Front Royal will require payment of the past-due bill before responding to a new request.

#### **Additional Information**

The Virginia Freedom of Information Advisory Council is available to answer any questions about how FOIA works. It does not process records requests on behalf of public bodies, nor is it an investigative or enforcement agency. They may be contacted at [foiacouncil@dls.virginia.gov](mailto:foiacouncil@dls.virginia.gov), or (804)698-1810.

You have the option to contact the Freedom of Information Advisory Council to comment on the quality of assistance you received from the Town of Front Royal by completing the form at the end of the policy.

*Approved by Council 2/2/26*



**REGULAR COUNCIL MEETING  
CONSENT AGENDA STATEMENT**

**Meeting Date: June 22, 2026**

**Item# 10E**

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**Agenda Item:** Deed of Easement and Right-of-Way from Robert & Vivian Lake to the Town of Front Royal for continued access serving Tax Map No. 12-41-1 and locations of the Guard Hill Water Tank.

**Summary:** Council is requested to approve the relocation of a portion of an existing 25-foot-wide easement serving the Town of Front Royal Guard Hill Water Tank. The current easement was previously granted by deeds recorded in Deed Book 292, Page 643, and Deed Book 297, Page 415. The property owners, the Lakes, have requested the relocation to accommodate an alternate roadway. As part of the relocation, the Lakes will be responsible for the construction of the new roadway within the relocated easement in accordance with VDOT standards, as well as all future maintenance. The proposed deed of easement and survey are attached for Council's review and consideration.

**Budget/Funding:** N/A

**Meetings:** Work Session held June 8, 2026

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion:** I move that Council approve and accept the Deed of Easement and Right-of-Way, pursuant to Virginia Code §§ 15.2-1800 and 15.2-1803, conveying the relocated twenty-five-foot (25') wide roadway easement to the Town over portions of Tax Map No. 11-52B-1, owned by Robert and Vivian Lake

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*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Rappaport* \_\_\_\_\_ *DeDomenico-Payne* \_\_\_\_\_ *Ingram* \_\_\_\_\_ *Wood* \_\_\_\_\_ *Sealock* \_\_\_\_\_ *Veitenthal* \_\_\_\_\_

This Deed is exempt from recordation taxes pursuant to Va. Code § 58.1-811(A)(3) as a deed conveying an interest in real estate to a town of the Commonwealth.

Prepared by & return to: Vincent J. Mata, VSB No. 87794  
Mata & Hill PLC  
25 S. Royal Avenue  
Front Royal, Virginia 22630

Tax I.D. #: 11-52; 11-52B-1; 12-41-1; 11-52A; 11D-2-C1

Consideration: None

**DEED OF EASEMENT AND RIGHT-OF-WAY**

*(Grant of New Roadway Easement; Partial Vacation of Existing Easement)*

This DEED OF EASEMENT AND RIGHT-OF-WAY is made as of \_\_\_\_\_, 2026, by and between **ROBERT C. LAKE** and **VIVIAN ANN LAKE**, husband and wife, hereinafter referred to as "Grantor," and **THE TOWN OF FRONT ROYAL, VIRGINIA**, a municipal corporation, hereinafter referred to as "Grantee."

**WITNESSETH:**

WHEREAS, Grantor is the owner in fee simple of certain real property situate in the North River District of Warren County, Virginia, as shown on a plat entitled "Roadway Easement Plat over Robert C. Lake & Vivian Ann Lake Property", prepared by Pioneer Land Surveys PLC, dated December 31, 2025, and recorded among the land records of Warren County with this Deed (the "Plat");

WHEREAS, An existing twenty-five foot (25') wide roadway easement serving the Town of Front Royal was previously granted by Deed recorded in Deed Book 292, Page 643 and Deed Book 297, Page 415, portions of which are shown on the Plat;

WHEREAS, Grantor desires to relocate a portion of said roadway easement, vacating the portion identified as "HEREBY VACATED" on the Plat and providing an alternate roadway easement as shown thereon; and

WHEREAS, The Town of Front Royal desires to accept a non-exclusive right-of-way over the newly created roadway easement for continued access.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby covenant and agree as follows:

### 1. GRANT OF ROADWAY EASEMENT

Grantor does hereby grant, bargain, sell, and convey unto Grantee, its successors and assigns, a non-exclusive roadway easement and right-of-way, being twenty-five feet (25') wide, together with variable-width segments as shown, over, across, and upon the Grantor's property, as shown and delineated on the above-referenced Plat as "Portion of 25' Wide Roadway Easement Hereby Created", which Plat is hereby incorporated by reference as if fully set forth herein (the "New Roadway Easement").

The New Roadway Easement shall be used for ingress, egress, and access, including vehicular and pedestrian travel, for the same usage and purpose as the originally granted easements referred to hereinabove.

Also depicted on said Plat and described as "Variable Width Roadway Easement Hereby Created Serving Lake's Other Property" is an additional easement not being granted herein to the Town of Front Royal. This easement is intended to serve Tax Map No. 12-41-1.

### 2. VACATION OF EXISTING EASEMENT (PARTIAL)

Grantor, with the consent, acknowledgement and permission of Grantee herein, does hereby vacate, release, and extinguish, and Grantee does hereby relinquish, that portion of the existing twenty-five foot (25') wide roadway easement serving the Town of Front Royal as is shown hatched and labeled "HEREBY VACATED" on the Plat (the "Vacated Easement Area").

This vacation is partial only, and all portions of the prior roadway easement not expressly shown as vacated on the Plat shall remain in full force and effect.

### 3. CONSTRUCTION AND IMPROVEMENT OBLIGATIONS

Grantor shall be solely responsible, at Grantor's cost and expense, for:

- a. Construction of the new roadway within the New Roadway Easement in accordance with applicable Town of Front Royal standards, if any, and in conformity with VDOT standards and

- specifications as to the new commercial entrance connecting with the public right of way;
- b. All grading, surfacing, drainage, and stabilization required to provide a reasonably passable roadway; and
  - c. Restoration of the Vacated Easement Area to a condition consistent with Grantor's intended use of the property.

Nothing herein shall be construed as obligating the Grantee to construct or improve the roadway.

#### 4. MAINTENANCE AND REPAIR

Grantor shall be responsible for ongoing maintenance and repair of the roadway within the New Roadway Easement, including removal of obstructions, repair of surface failures, and maintenance of drainage structures, unless and until the Town of Front Royal formally accepts said roadway for public maintenance by separate written instrument. Nothing herein shall affect the rights of the Grantee to maintain the area of its easement, however, both the portions originally granted, and the New Roadway Easement.

#### 5. NON-EXCLUSIVITY

The rights conveyed herein are non-exclusive. Grantor reserves the right to use the New Roadway Easement so long as such use does not unreasonably interfere with Grantee's rights of access.

#### 6. RUNNING WITH THE LAND

This Deed of Easement and Right-of-Way shall run with the land and be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

#### 7. RECORDATION

Grantor and Grantee authorize and direct that this instrument, together with the referenced Plat, be recorded among the Land Records of Warren County, Virginia.

**[Rest of page left intentionally blank; signatures on the following page(s).]**

WITNESS the following signatures and seals:

\_\_\_\_\_(SEAL)  
ROBERT C. LAKE

\_\_\_\_\_(SEAL)  
VIVIAN ANN LAKE

STATE/Commonwealth of \_\_\_\_\_;  
CITY/COUNTY OF \_\_\_\_\_:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by Robert C. Lake and Vivian Ann Lake.

**[Rest of page left intentionally blank; additional signatures on the following page.]**

WITNESS the following signatures and seals:

ACCEPTED and ACKNOWLEDGED:  
TOWN OF FRONT ROYAL, VIRGINIA

By: \_\_\_\_\_ (SEAL)

\_\_\_\_\_, \_\_\_\_\_

STATE/Commonwealth of \_\_\_\_\_;  
City/County of \_\_\_\_\_:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2026, by \_\_\_\_\_, \_\_\_\_\_, for the Town of Front Royal,  
Virginia.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

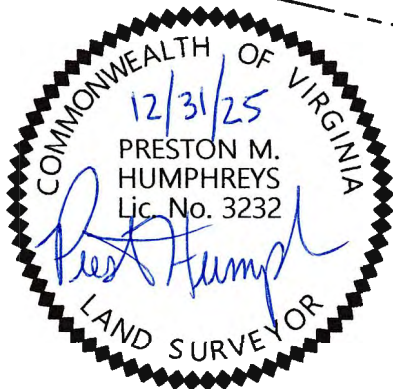
My commission number: \_\_\_\_\_

ROADWAY EASEMENT PLAT OVER  
 ROBERT C. LAKE & VIVIAN ANN LAKE PROPERTY,  
 INSTRUMENT 130000257,  
 NORTH RIVER DISTRICT,  
 WARREN COUNTY, VIRGINIA

SCALE: 1" = 40'	DATE: DECEMBER 31, 2025	PREPARED BY: PIONEER LAND SURVEYS PLC P.O. BOX 1012, FRONT ROYAL, VA 22630 PH 540-631-0700
SHEET: 1 OF 1	ORIGINAL PAPER SIZE: 8.5" x 14"	

NOTES:

1. THE ROADWAY EASEMENTS SHOWN HEREON ARE BASED ON A CURRENT FIELD SURVEY. THE LAND BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM SURVEY MADE BY JOSEPH BROGAN, SR. RECORDED AT INSTRUMENT #130000257.
2. NO TITLE REPORT WAS FURNISHED. THIS PROPERTY IS SUBJECT TO ANY ADDITIONAL EASEMENTS THAT MAY NOT BE SHOWN HEREON.
3. ZONED: (A) AGRICULTURAL



N/F MURPHY & LAUDER  
 INST.#210001954  
 T.M.#11-51-1

N/F LAKE  
 INST. #950447901  
 INST. #240004181  
 T.M.#12-41-1

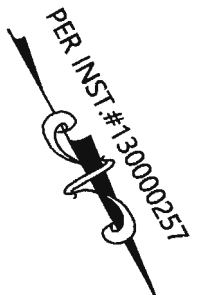
N/F LAKE  
 WILL #1400001  
 T.M.#11-52

VARIABLE WIDTH ROADWAY EASEMENT  
 HEREBY CREATED  
 SERVING LAKE'S OTHER  
 PROPERTY

N/F LAKE  
 INST #130000257  
 T.M.#11-52B-1

EXISTING 25' WIDE  
 ROADWAY EASEMENT SERVING  
 TOWN OF FRONT ROYAL  
 PER D.B. 292 PG.643 &  
 D.B.297 PG.415

HATCHED AREA DENOTES  
 PORTION OF THE 25' WIDE  
 ROADWAY EASEMENT SERVING  
 TOWN OF FRONT ROYAL  
 HEREBY VACATED



1.0 MI.+/- TO  
 U.S. ROUTE #522/340

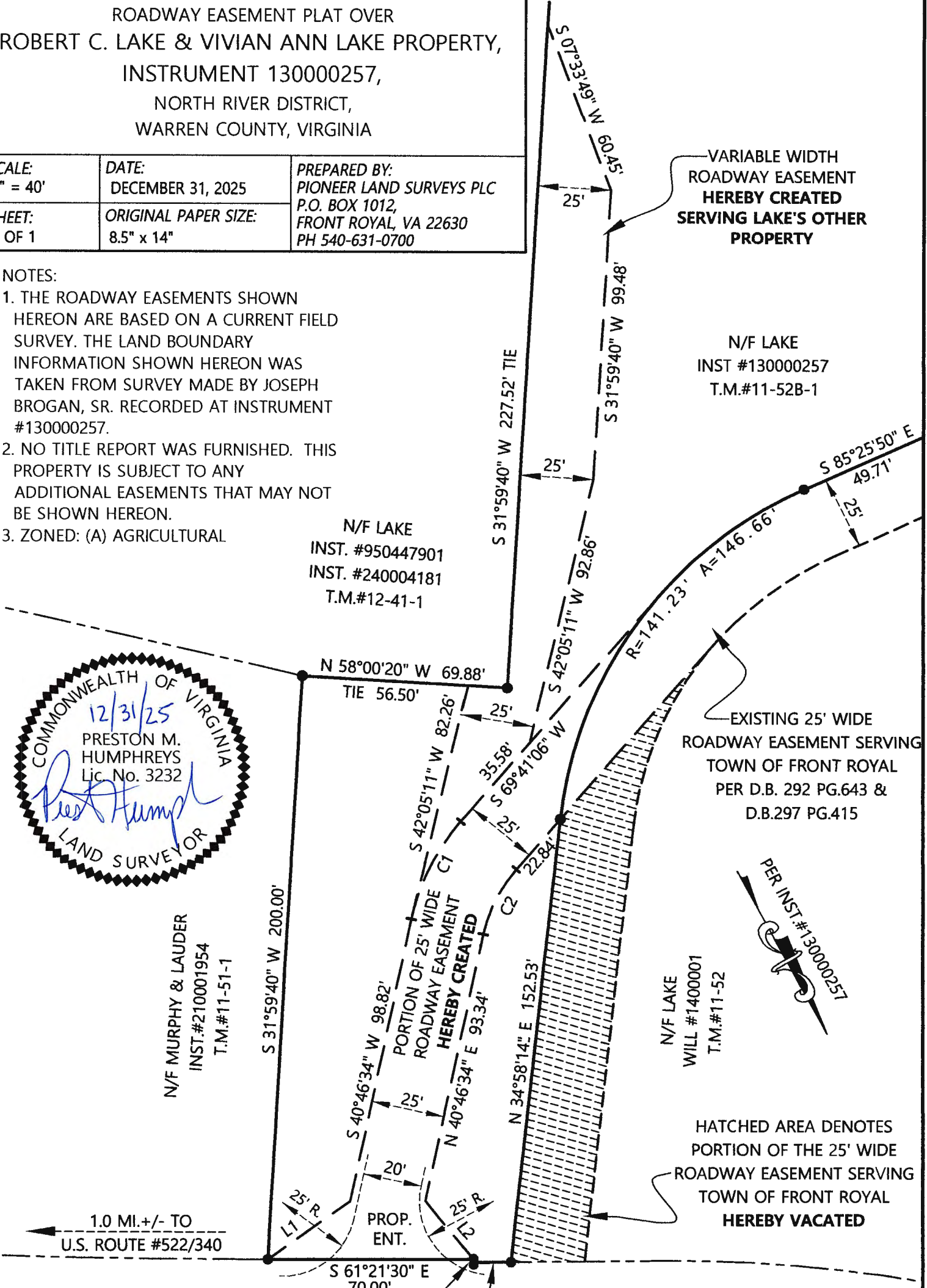
GUARD HILL ROAD~VA. ROUTE #637  
 30' WIDE R/W PER INST.#130000257



**LEGEND**  
 ● = EXISTING IRON PIN FOUND

LINE	BEARING	DISTANCE
L1	S 83°39'19" W	34.41'
L2	N 10°36'43" W	25.62'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	75.00'	37.84'	37.44'	S 55°13'50" W	28°54'33"
C2	50.00'	25.23'	24.96'	N 55°13'50" E	28°54'33"





**REGULAR COUNCIL MEETING  
CONSENT AGENDA STATEMENT**

**Meeting Date: June 22, 2026**

**Item# 10F**

**Agenda Item:** Deed of Easement from Baugh Dr. LLC to the Town for a 20' Public Waterline Easement Serving Lot 6, Stephens Industrial Park (Tax Map No. 5C-6)

**Summary:** Council is requested to approve and accept, pursuant to Virginia Code §§ 15.2-1800 and 15.2-1803, a Deed of Easement from Baugh Dr. LLC conveying a twenty-foot (20') permanent public waterline easement and right-of-way across a portion of Lot 6, Stephens Industrial Park, identified as Tax Map No. 5C-6 and located in the North River District of Warren County, Virginia. The easement will provide the Town with the necessary rights for the installation, operation, maintenance, repair, inspection, and replacement of public water infrastructure following construction of the waterline facilities by Baugh Dr. LLC and their acceptance into the Town's water system. The proposed Deed of Easement, easement plat, and site plan are attached for Council's review and consideration.

**Budget/Funding:** N/A

**Meetings:** Work Session held June 8, 2026

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion:** I move that Council approve and accept the Deed of Easement, pursuant to Virginia Code §§ 15.2-1800 and 15.2-1803, from Baugh Dr. LLC conveying a twenty-foot (20') permanent public waterline easement and right-of-way to the Town of Front Royal over a portion of Lot 6, Stephens Industrial Park, identified as Tax Map No. 5C-6.

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Rappaport* \_\_\_\_\_ *DeDomenico-Payne* \_\_\_\_\_ *Ingram* \_\_\_\_\_ *Wood* \_\_\_\_\_ *Sealock* \_\_\_\_\_ *Veitenthal* \_\_\_\_\_

PREPARED BY:  
Bryan H. Guidash, VSB No, 32844  
Walsh, Colucci, Lubeley & Walsh P.C.  
4310 Prince William Parkway, Suite 300  
Prince William, VA 22192

Tax Map No. 5C 6

PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION

**DEED OF EASEMENT**

THIS DEED OF EASEMENT is made and entered into this 14<sup>th</sup> day of April, 2026, by and between **BAUGH DR. LLC**, a Virginia limited liability company (“Grantor”) (to be indexed as GRANTOR); and the **TOWN OF FRONT ROYAL, VIRGINIA**, a Virginia municipal corporation, whose address is Post Office Box 1560, Front Royal, Virginia, 22630 (“Town”) (to be indexed as GRANTEE).

**WITNESSETH:**

WHEREAS, Grantor is the owner of a parcel of land located in North River District, Warren County, Virginia, known as Lot 6, Stephens Industrial Park, and identified with Tax Map No. 5C 6 (the “Property”), having acquired the Property by special warranty deed recorded as Instrument Number 240001080 among the land records of Warren County, Virginia, said Property being more particularly shown and depicted upon the plat attached hereto and made a part of this instrument as **Exhibit “A”**, entitled “Water Easement Plat Lot 6 Stephens Industrial Park North River Magisterial District, Warren County, Virginia”, prepared by Charles P. Johnson & Associates, Inc. and dated October 15, 2024 (the “Plat”); and

WHEREAS, the Grantor wishes to grant and convey unto the Town a 20’ permanent waterline easement and right-of-way for the installation and maintenance of water lines onto, over, and through the aforesaid areas, more particularly described as “20’ WATER EASEMENT

HEREBY GRANTED” as shown on the Plat, and as further described as 20’ WATER ESMT.” as shown on sheet 13 of the site plan entitled “SITE PLAN LAYOUT LOT 5C 6 BAUGH DRIVE SITE PLAN NORTH RIVER MAGISTERIAL DISTRICT WARREN COUNTY, VIRGINIA” dated March 2024, and prepared by Brian R. Thomas, Professional Engineer, Charles P. Johnson & Associates, Inc. (the “Site Layout Plan”)], attached hereto and made a part of this instrument as **Exhibit “B”**.

**WITNESSETH:**

That for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00), cash in hand paid by the Town to the Grantor, the receipt of which is hereby acknowledged, the Grantor grants and conveys unto the Town, its successors and assigns, the following rights in the Property, to-wit:

The privilege, easement, and right-of-way in perpetuity to construct, lay, maintain, repair, inspect, improve, and operate within the easement and right-of-way of varying widths herein described and referred to, mains, works, and systems for the operation of utilities over, upon, across, and under the Property referred to as a “20’ WATER EASEMENT HEREBY GRANTED” as shown on Sheet 4 of the Plat.

This easement and right-of-way shall be for the construction, installation, inspection, repair, and maintenance of mains, works, and systems for the transmission of water, including, but not limited to, water meters and water meter vaults (herein “Facilities”), over, across, and under the Property, with the location and width of said easement and right-of-way as shown on the Plat and Site Layout Plan.

There is also hereby conveyed rights-of-way of ingress, egress, and access over, upon, and across the Property to the above-described easement for the purpose of allowing access to the

Facilities located thereon by the employees, agents, and contractors of the Town.

The further terms and conditions of this grant are as follows:

a. That the Town may (but is not required to) trim, cut, remove, and keep clear all trees, limbs, undergrowth, and any other obstructions, within the said easement and right-of-way, that may in any manner, in the Town's sole judgment, endanger or interfere with the proper and efficient operation of the Facilities, and the Town shall have all such other rights and privileges as are reasonably necessary or convenient for the full enjoyment and use of the easement and right-of-way herein granted for the aforesaid purpose. Nothing contained herein shall be construed to require the Town to install, repair or maintain any portion of any water service laterals providing utilities to any improvements located on the Property.

b. The granting of the easement and right-of-way herein described neither expressly or impliedly constitutes any payment, nor the waiver of any obligation for the payment, by the Grantor or its successors or assigns, or any cut-in fee or charge, tax, assessment or other charge or obligation whatsoever now due or heretofore due or hereafter to become due and payable to the Town or any person, firm or other corporation whatsoever.

c. That the Town will exercise reasonable care to protect the Property from damage or injury occasioned in the enjoyment of the easement and right-of-way herein granted, and to promptly repair the said Property or reimburse the Grantor for any property damaged beyond repair.

d. That, if the Town does cut or fell any brush, undergrowth or trees, or should excavations be carried on pursuant to this easement and any large-sized rocks or boulders are unearthed and are not buried in said excavation, such brush, undergrowth, trees, large-sized rocks and boulders shall, at the expense of the Town, be removed from the Property.

e. Once constructed and installed, the Facilities shall become the property of the Town,

and Grantor shall have no right, title, interest, estate or claim whatsoever in Facilities by virtue of the rights conveyed herein.

f. The easement is non-exclusive.

g. Facilities installed pursuant to this easement shall be underground, except for manhole and vault covers which shall be flush with adjacent grade except as is otherwise consistent with best practices or as shown on plans approved by Grantor.

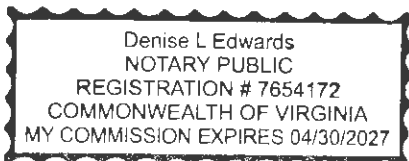
h. Grantor retains the right to use the surface areas of such encumbered Property for any use not inconsistent with the rights granted to the Town.

i. Grantor reserves the right to require the Town to relocate its Facilities to another location on the affect Property, subject to the conveyance of a similar easement and right-of-way, all at the cost and expense of Grantor.

*[Signature Pages Follow]*

WITNESS the following signatures and seals:

GRANTOR:



BAUGH DR. LLC,  
a Virginia limited liability company

By: [Signature] (SEAL)

Name: William M. Smith

Title: owner

STATE OF Virginia  
COUNTY OF Prince William, to-wit:

I, the undersigned, a Notary Public in and for the State and County aforesaid, do hereby certify that William M. Smith, owner of BAUGH DR. LLC, a Virginia limited liability company, personally appeared before me this 14 day of April, 2026, and acknowledged that he is the owner of BAUGH DR. LLC, a Virginia limited liability company, and that by authority duly given, he executed the foregoing instrument on behalf of BAUGH DR. LLC, a Virginia limited liability company, for the purposes stated in such instrument and he is personally known to me.

Given under my hand this 14<sup>th</sup> day of April, 2026.

My commission expires: 4/30/2027.

Notary Registration No.: 7654172

Denise L. Edwards  
NOTARY PUBLIC

I was commissioned as  
Denise L. Edwards

The foregoing Deed of Easement is hereby accepted by the Town of Front Royal, Virginia, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance on behalf of the Town of Front Royal, by Resolution adopted by the Town Council on \_\_\_\_\_, 2026.

WITNESS the following signatures and seals:

TOWN OF FRONT ROYAL, VIRGINIA

By: \_\_\_\_\_ (SEAL)  
LORI A. COCKRELL, MAYOR

ATTEST:

\_\_\_\_\_ (SEAL)  
Clerk of Council  
Town of Front Royal, Virginia

COMMONWEALTH OF VIRGINIA  
COUNTY OF WARREN, TO-WIT:

I, the undersigned, a Notary Public in and for the State and County aforesaid, do hereby certify that Lori A. Cockrell, Mayor of the Town of Front Royal, Virginia, whose name is signed to the foregoing Deed of Easement, dated the \_\_\_\_\_ day of \_\_\_\_\_, 2026, has this day personally appeared and acknowledged the same before me in my State and County aforesaid.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

My Commission Expires: \_\_\_\_\_  
Notary Registration No.: \_\_\_\_\_

\_\_\_\_\_ (SEAL)  
NOTARY PUBLIC

APPROVED AS TO FORM:

\_\_\_\_\_ (SEAL)  
Town Attorney  
Town of Front Royal, Virginia

{P1620167.DOC / 1 Baugh Drive - Lot 6 Waterline Easement.v2 002190 000097}

**Exhibit "A"**

**Plat**

*See attached.*

**Exhibit “B”**

**Site Plan Layout**

*See attached.*

BOUNDARY &  
ADJOINING  
PROPERTIES

LOT 1  
STEPHENS INDUSTRIAL PARK  
TAX MAP: #5C 1  
S67°35'33"E 684.15'

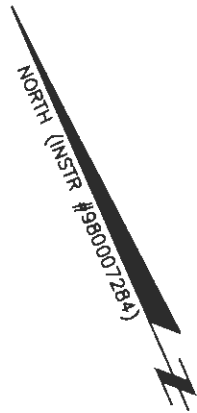
LOT 5  
STEPHENS  
INDUSTRIAL PARK  
TAX MAP: #5C 5

LOT 6  
STEPHENS INDUSTRIAL PARK  
TAX MAP: #5C 6  
ZONE: INDUSTRIAL

LOT 7  
STEPHENS  
INDUSTRIAL PARK  
TAX MAP: #5C 7

LOT 8  
STEPHENS  
INDUSTRIAL PARK  
TAX MAP: #5C 8

N/F  
SYSCO  
MERCHANDISING  
& SUPPLY  
TAX MAP: #12 85



N24°11'28"E 1569.29'

S24°11'28"W 1137.71'

S82°47'01"W  
40.00'

S07°12'58"E  
47.73'

N71°31'06"W  
46.91'

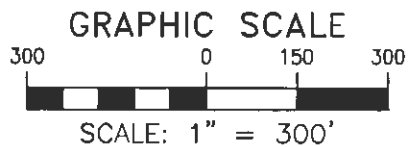
N77°18'42"W  
140.56'

N77°21'05"W  
192.79'

S07°12'57"E  
178.70'

SUCCESS  
ROAD  
ROUTE #675  
(30' PRESCRIPTIVE  
EASEMENT)

BAUGH DRIVE  
ROUTE #93-702  
(VARIABLE WIDTH RIGHT-OF-WAY)



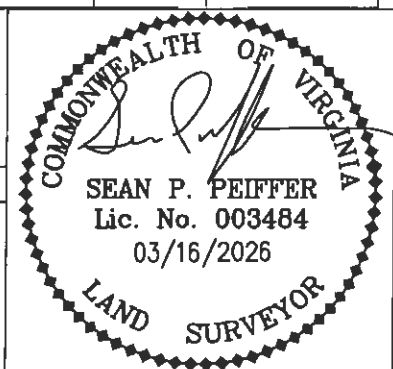
CURVE TABLE						
CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CH. BEARING
C1	12°18'32"	219.75'	47.21'	23.70'	47.12'	N83°27'58"W
C2	24°20'25"	905.00'	384.46'	195.17'	381.58'	N89°28'55"W

WATER EASEMENT PLAT  
LOT 6

STEPHENS INDUSTRIAL PARK  
NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA

DATE: OCTOBER 15, 2024 SCALE: 1"=300' SHEET 1 OF 5

**CPJ** Charles P. Johnson & Associates, Inc.  
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors  
3959 Pender Dr., Ste. 210 Fairfax, VA 22030 703-385-7555 Fax: 703-273-8595  
www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • College Park, MD • Frederick, MD • Fairfax, VA



NOTES & INDEX

**NOTES:**

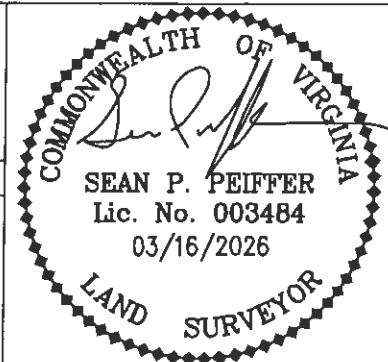
1. LOT 6 IS IDENTIFIED BY WARREN COUNTY TAX MAP #5C 6, ZONED INDUSTRIAL, AND WAS ACQUIRED BY BAUGH DR. LLC, FROM INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA BY DEED DATED MARCH 20, 2024, AND RECORDED IN INSTRUMENT #240001080 IN THE LAND RECORDS OF WARREN COUNTY, VIRGINIA.
2. NO TITLE REPORT FURNISHED.
3. ALL PREVIOUSLY RECORDED RIGHTS OF WAY, EASEMENTS OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE NOTED ON THIS PLAT.
4. BOUNDARY INFORMATION TAKEN FROM A FIELD RUN BOUNDARY SURVEY BY CHARLES P. JOHNSON & ASSOCIATES COMPLETED DECEMBER 4TH, 2023.

WATER EASEMENT PLAT  
LOT 6

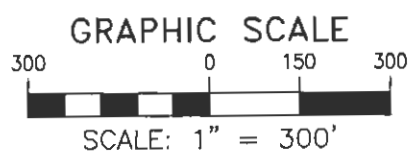
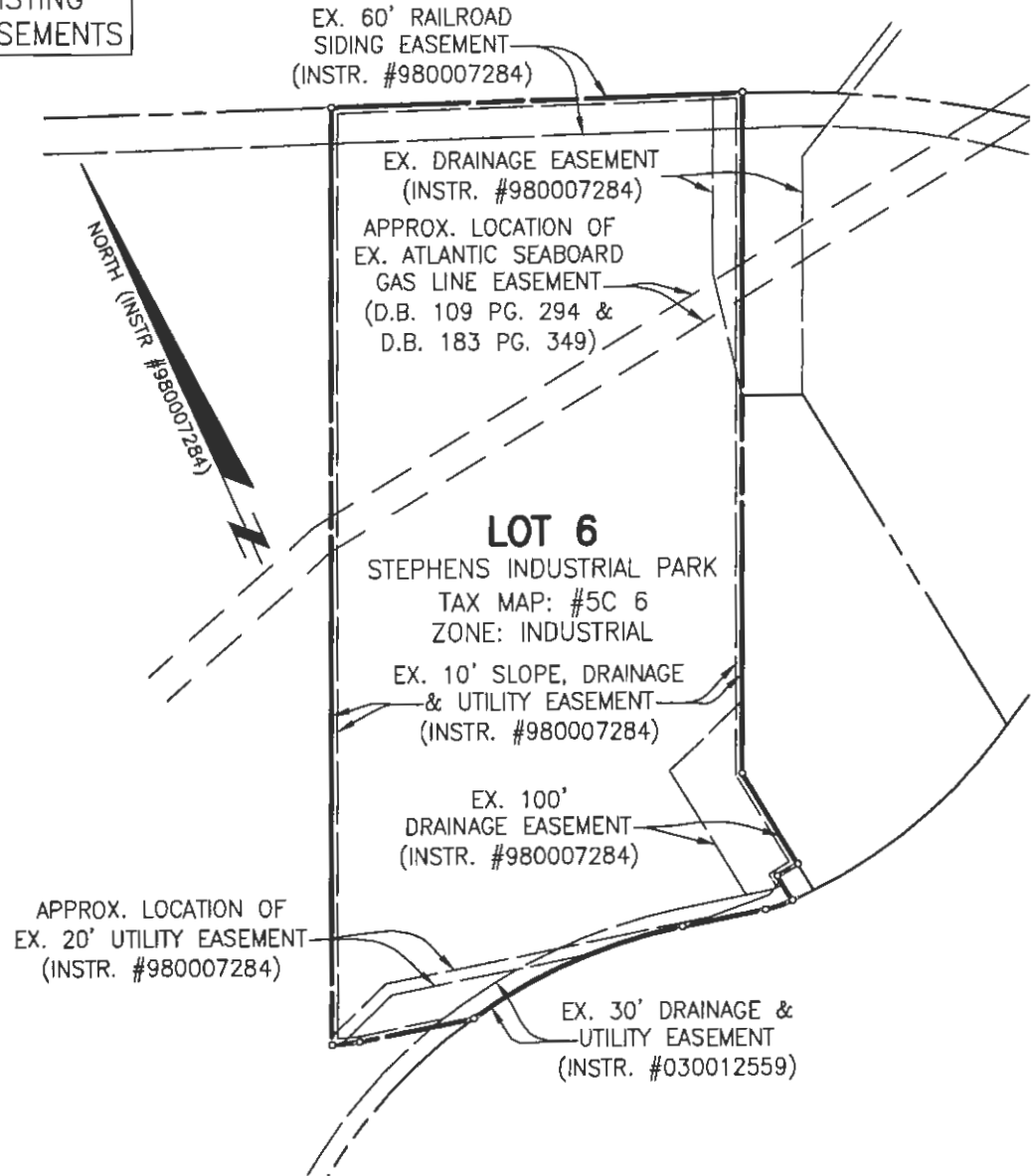
STEPHENS INDUSTRIAL PARK  
NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA

DATE: OCTOBER 15, 2024      SCALE: N/A      SHEET 2 OF 5

**CPJ** Charles P. Johnson & Associates, Inc.  
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors  
Associates 3959 Pender Dr., Ste. 210 Fairfax, VA 22030 703-385-7555 Fax: 703-273-8595  
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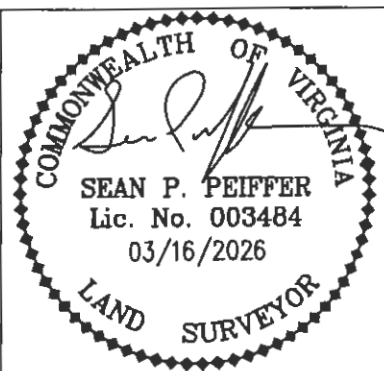


**EXISTING EASEMENTS**



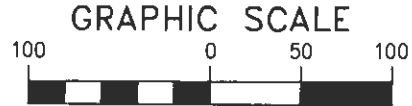
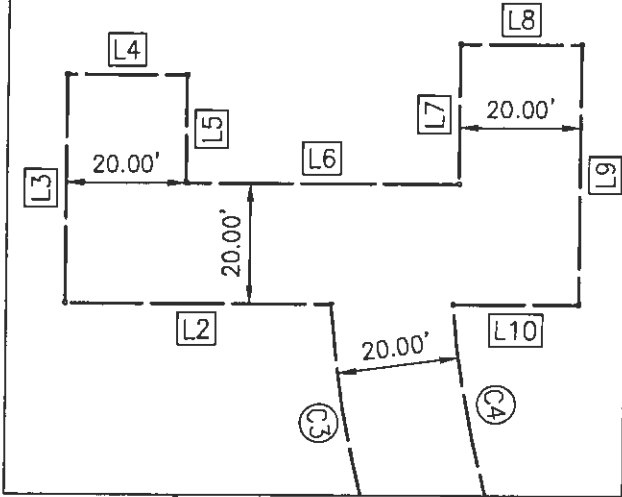
WATER EASEMENT PLAT  
 LOT 6  
**STEPHENS INDUSTRIAL PARK**  
 NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA  
 DATE: OCTOBER 15, 2024    SCALE: 1"=300'    SHEET 3 OF 5

**CPJ Associates** Charles P. Johnson & Associates, Inc.  
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors  
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WATER EASEMENT

DETAIL:  
SCALE: 1"=30'

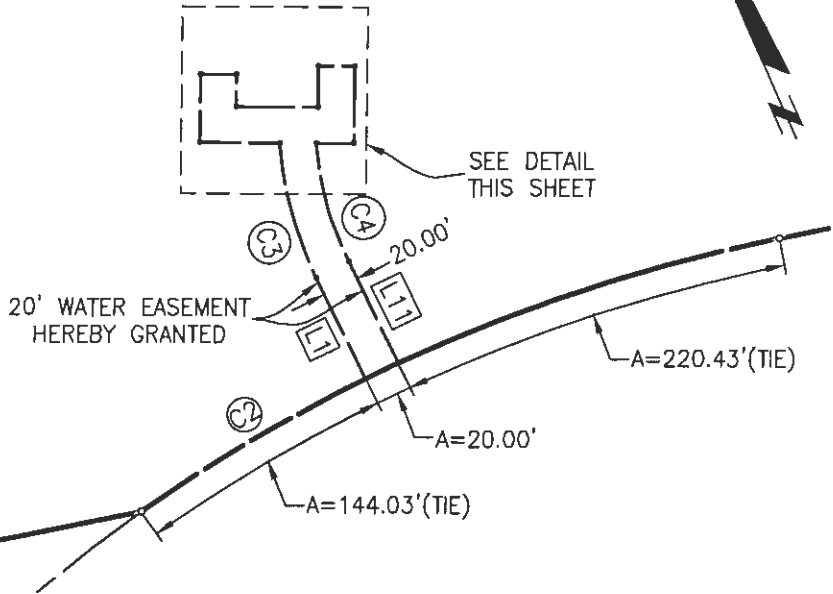


SCALE: 1" = 100'



SCALE: 1" = 30'

**LOT 6**  
STEPHENS INDUSTRIAL PARK  
TAX MAP: #5C 6  
ZONE: INDUSTRIAL



WATER EASEMENT PLAT  
LOT 6

STEPHENS INDUSTRIAL PARK

NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA

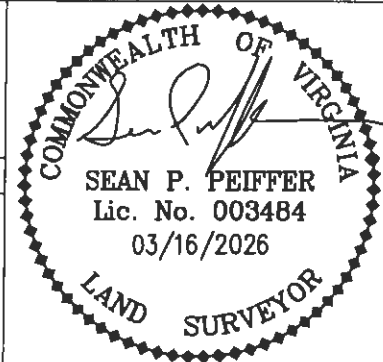
DATE: OCTOBER 15, 2024 SCALE: 1"=100' SHEET 4 OF 5



**Charles P. Johnson & Associates, Inc.**

Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

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**WATER EASEMENT  
LINE & CURVE TABLES**

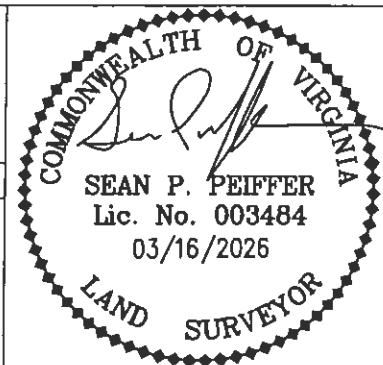
CURVE TABLE						
CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CH. BEARING
C2	24°20'25"	905.00'	384.46'	195.17'	381.58'	N89°28'55"W
C3	22°03'56"	202.50'	77.99'	39.48'	77.51'	N8°39'27"E
C4	21°34'13"	182.50'	68.71'	34.76'	68.30'	S8°24'35"W

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N2°22'31"W	62.60'
L2	N65°48'05"W	44.13'
L3	N24°11'55"E	37.99'
L4	S65°48'05"E	20.00'
L5	S24°11'55"W	17.99'
L6	S65°48'05"E	45.00'
L7	N24°11'55"E	23.31'
L8	S65°48'05"E	20.00'
L9	S24°11'55"W	43.31'
L10	N65°48'05"W	20.80'
L11	S2°22'31"E	62.76'

WATER EASEMENT PLAT  
LOT 6  
**STEPHENS INDUSTRIAL PARK**  
NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA

DATE: OCTOBER 15, 2024      SCALE: N/A      SHEET 5 OF 5

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BOUNDARY &  
ADJOINING  
PROPERTIES

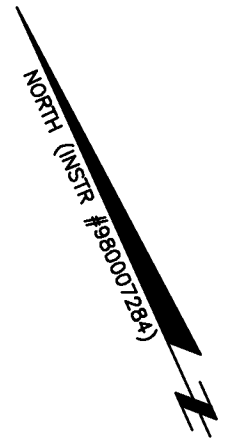
LOT 1  
STEPHENS INDUSTRIAL PARK  
TAX MAP: #5C 1  
S67°35'33"E 684.15'

LOT 5  
STEPHENS  
INDUSTRIAL PARK  
TAX MAP: #5C 5

LOT 6  
STEPHENS INDUSTRIAL PARK  
TAX MAP: #5C 6  
ZONE: INDUSTRIAL

LOT 7  
STEPHENS  
INDUSTRIAL PARK  
TAX MAP: #5C 7

LOT 8  
STEPHENS  
INDUSTRIAL PARK  
TAX MAP: #5C 8



N/F  
SYSCO  
MERCHANDISING  
& SUPPLY  
TAX MAP: #12 85

N24°11'28"E 1569.29'

S24°11'28"W 1137.71'

S82°47'01"W 40.00'

S07°12'58"E 47.73'

N71°31'06"W 46.91'

N77°18'42"W 140.56'

N77°21'05"W 192.79'

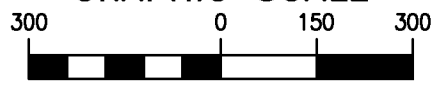
S07°12'57"E 178.70'

SUCCESS  
ROAD

ROUTE #675  
(30' PRESCRIPTIVE  
EASEMENT)

BAUGH DRIVE  
ROUTE #93-702  
(VARIABLE WIDTH RIGHT-OF-WAY)

GRAPHIC SCALE



SCALE: 1" = 300'

CURVE TABLE						
CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CH. BEARING
C1	12°18'32"	219.75'	47.21'	23.70'	47.12'	N83°27'58"W
C2	24°20'25"	905.00'	384.46'	195.17'	381.58'	N89°28'55"W

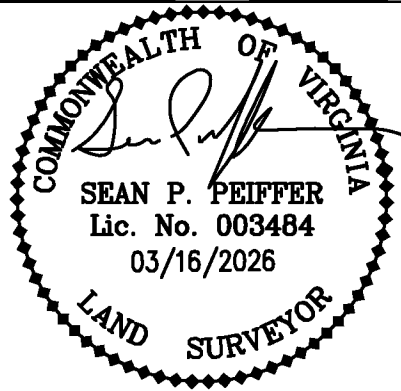
WATER EASEMENT PLAT  
LOT 6

STEPHENS INDUSTRIAL PARK

NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA

DATE: OCTOBER 15, 2024 SCALE: 1"=300' SHEET 1 OF 5

**CPJ** Charles P. Johnson & Associates, Inc.  
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**NOTES & INDEX**

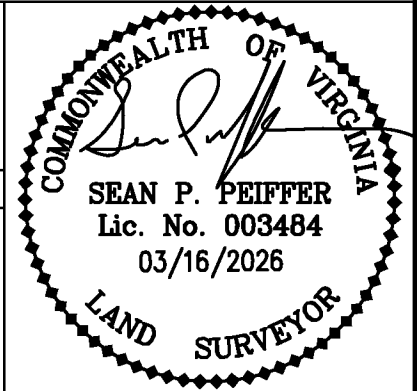
**NOTES:**

- 1. LOT 6 IS IDENTIFIED BY WARREN COUNTY TAX MAP #5C 6, ZONED INDUSTRIAL, AND WAS ACQUIRED BY BAUGH DR. LLC, FROM INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA BY DEED DATED MARCH 20, 2024, AND RECORDED IN INSTRUMENT #240001080 IN THE LAND RECORDS OF WARREN COUNTY, VIRGINIA.
- 2. NO TITLE REPORT FURNISHED.
- 3. ALL PREVIOUSLY RECORDED RIGHTS OF WAY, EASEMENTS OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE NOTED ON THIS PLAT.
- 4. BOUNDARY INFORMATION TAKEN FROM A FIELD RUN BOUNDARY SURVEY BY CHARLES P. JOHNSON & ASSOCIATES COMPLETED DECEMBER 4TH, 2023.

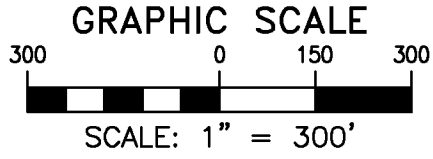
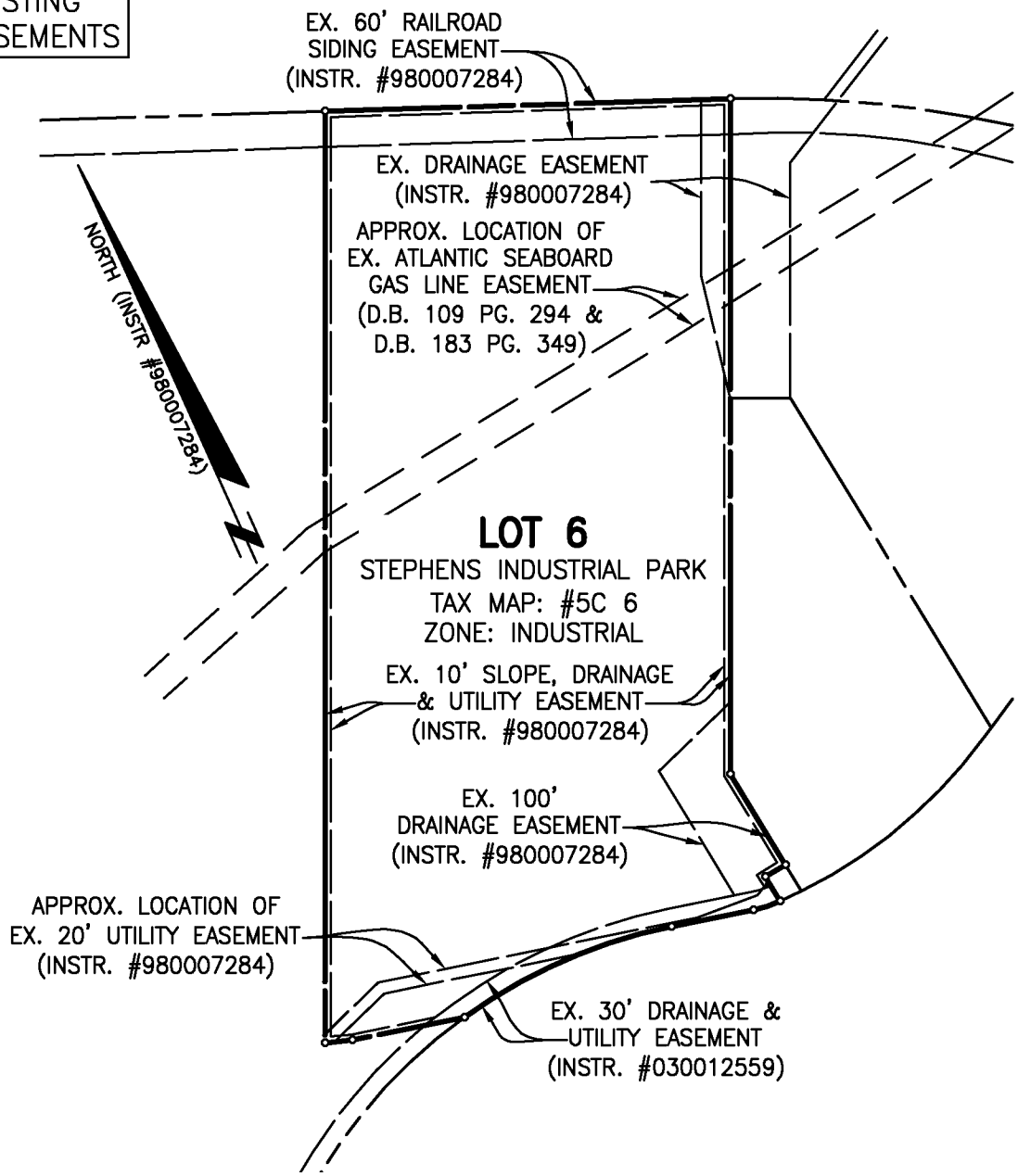
WATER EASEMENT PLAT  
LOT 6  
**STEPHENS INDUSTRIAL PARK**  
NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA

DATE: OCTOBER 15, 2024      SCALE: N/A      SHEET 2 OF 5

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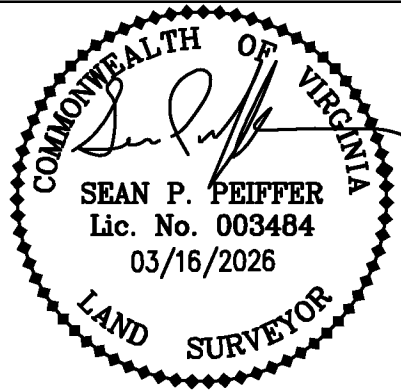


**EXISTING EASEMENTS**



WATER EASEMENT PLAT  
 LOT 6  
**STEPHENS INDUSTRIAL PARK**  
 NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA  
 DATE: OCTOBER 15, 2024    SCALE: 1"=300'    SHEET 3 OF 5

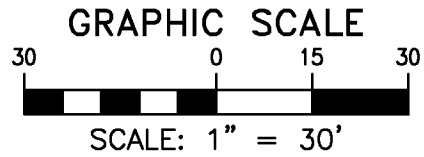
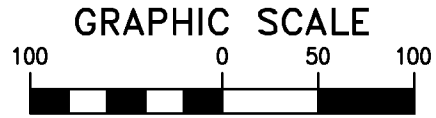
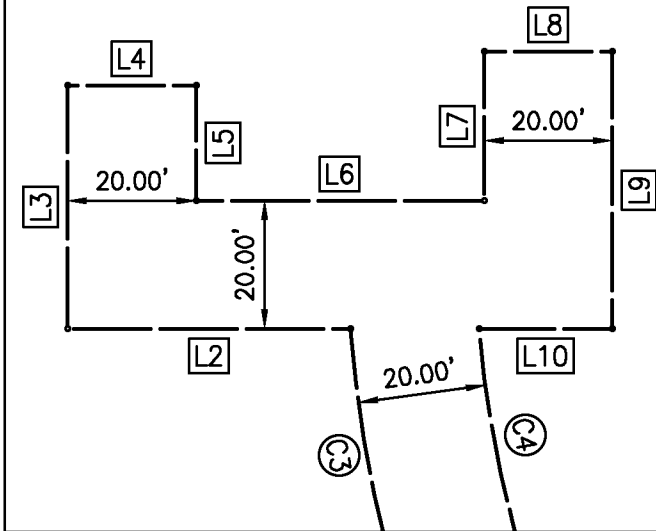
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WATER EASEMENT

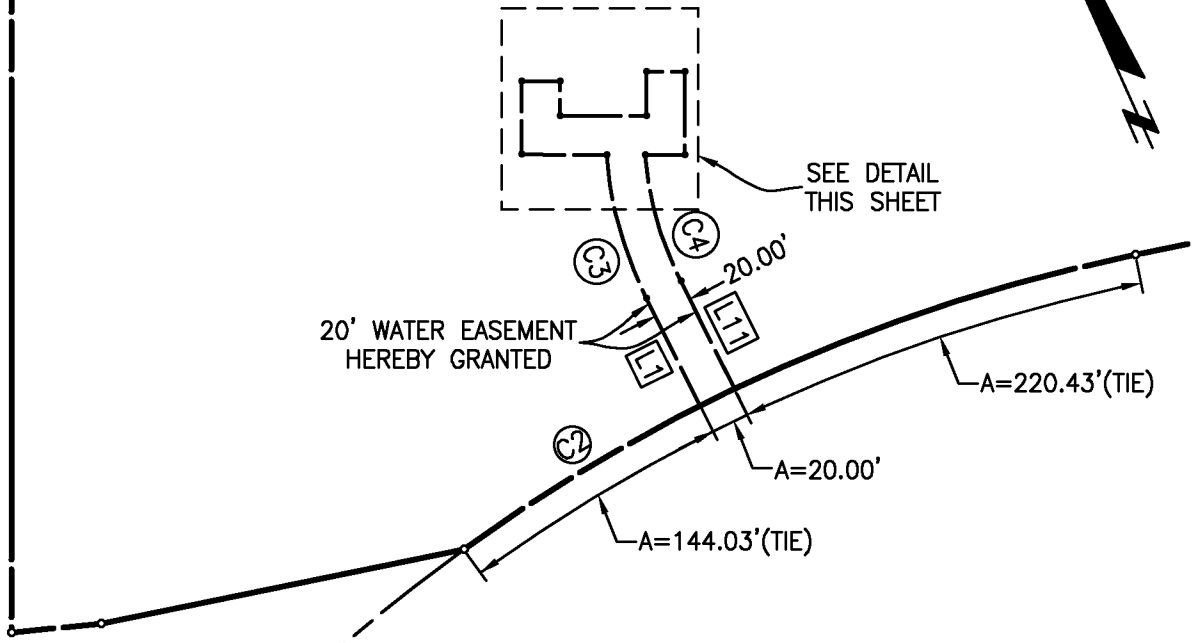
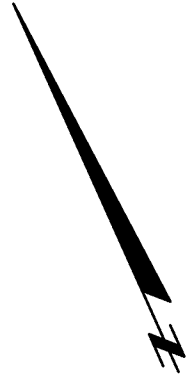
DETAIL:

SCALE: 1"=30'



LOT 6

STEPHENS INDUSTRIAL PARK  
TAX MAP: #5C 6  
ZONE: INDUSTRIAL



WATER EASEMENT PLAT  
LOT 6

STEPHENS INDUSTRIAL PARK

NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA

DATE: OCTOBER 15, 2024 SCALE: 1"=100' SHEET 4 OF 5

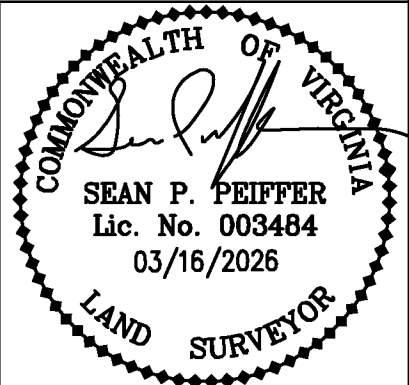


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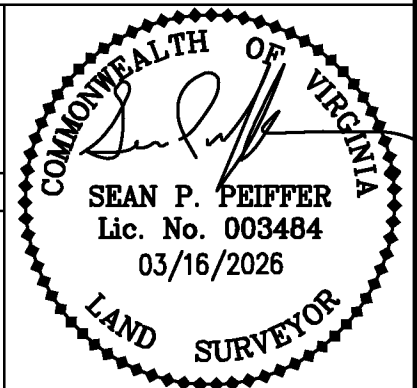
**WATER EASEMENT  
LINE & CURVE TABLES**

CURVE TABLE						
CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CH. BEARING
C2	24°20'25"	905.00'	384.46'	195.17'	381.58'	N89°28'55"W
C3	22°03'56"	202.50'	77.99'	39.48'	77.51'	N8°39'27"E
C4	21°34'13"	182.50'	68.71'	34.76'	68.30'	S8°24'35"W

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N2°22'31"W	62.60'
L2	N65°48'05"W	44.13'
L3	N24°11'55"E	37.99'
L4	S65°48'05"E	20.00'
L5	S24°11'55"W	17.99'
L6	S65°48'05"E	45.00'
L7	N24°11'55"E	23.31'
L8	S65°48'05"E	20.00'
L9	S24°11'55"W	43.31'
L10	N65°48'05"W	20.80'
L11	S2°22'31"E	62.76'

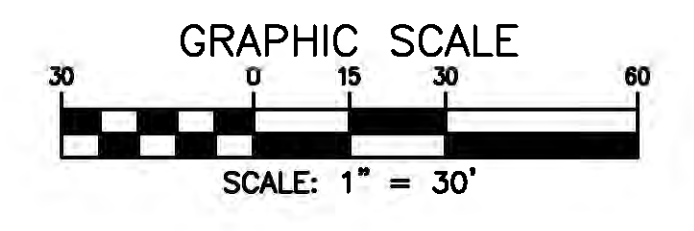
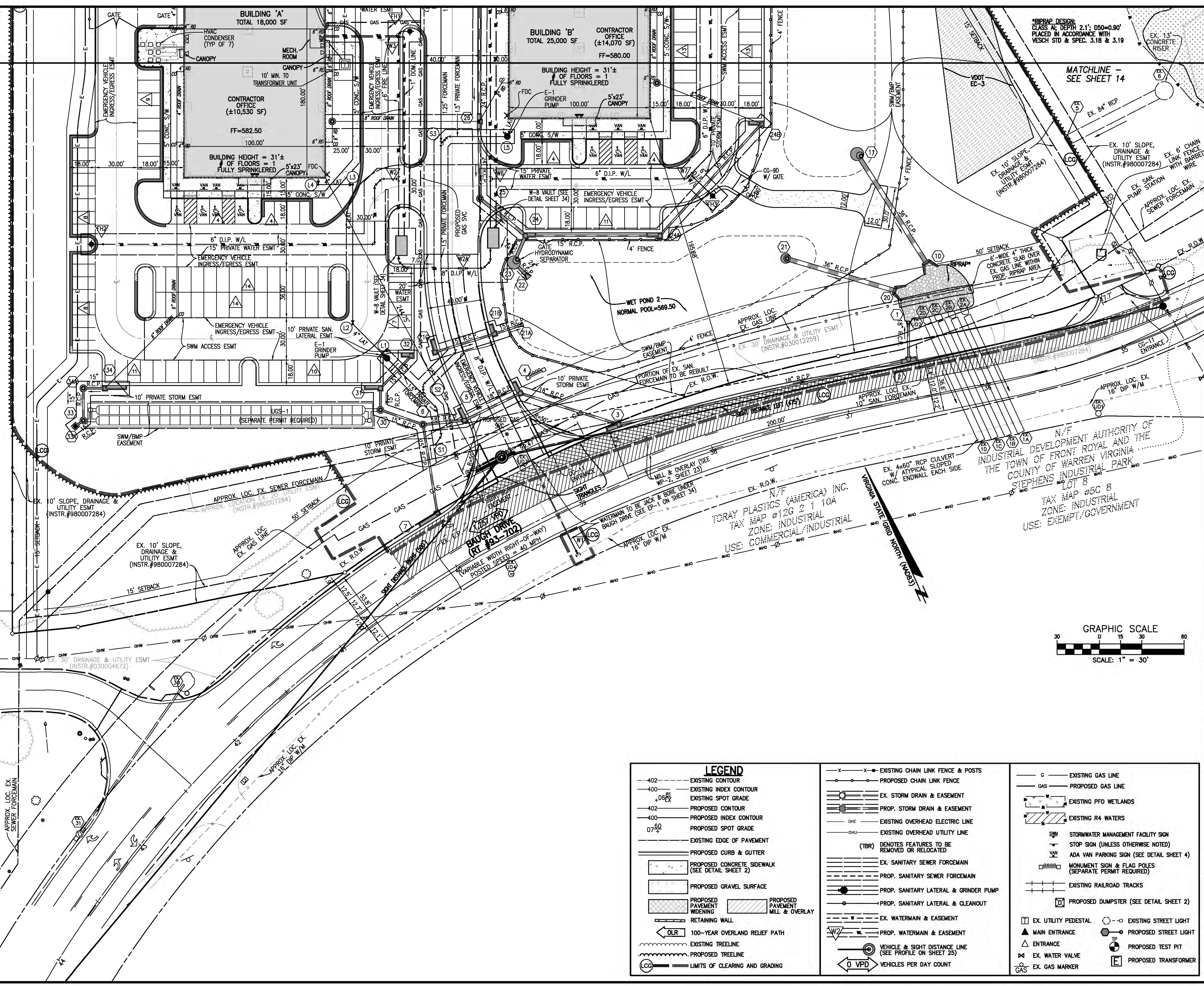
WATER EASEMENT PLAT  
LOT 6  
**STEPHENS INDUSTRIAL PARK**  
NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA  
DATE: OCTOBER 15, 2024      SCALE: N/A      SHEET 5 OF 5

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N/F  
SYSCO MERCHANDISING & SUPPLY  
TAX MAP #12 85  
ZONE: INDUSTRIAL  
USE: COMMERCIAL/INDUSTRIAL

N/F  
SYSCO MERCHANDISING & SUPPLY  
TAX MAP #12 85  
ZONE: INDUSTRIAL  
USE: COMMERCIAL/INDUSTRIAL



**SITE LAYOUT PLAN**  
**LOT 5C 6 BAUGH DRIVE**  
**SITE PLAN**

NORTH RIVER MAGISTERIAL DISTRICT  
WARREN COUNTY, VIRGINIA

NO. DATE REVISION PRIOR TO APPROVAL

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DESIGN	DRAFT	DATE	SCALE	HORIZONTAL	VERTICAL	DESCRIPTION	REVISIONS	BY	DATE
JRS	JRS	MAR. 2024	1" = 30'	---	---	---	---	---	---
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SHEET 13 OF 73  
PRJ NO: 2023-2586  
TYPE: SITE PLAN



## CLOSED MEETING AGENDA STATEMENT

Meeting Date: June 22, 2026      Item# 11

---

### MOTION ON TO GO INTO CLOSED MEETING

*[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes. Council may take action in open session following closed meeting].*

I move that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose:

- 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, more specifically, the Clerk of Council and the Town Attorney.

### Motion to Certify Closed Meeting at its Conclusion

*[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]*

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

---

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Rappaport \_\_\_\_\_ DeDomenico-Payne \_\_\_\_\_ Ingram \_\_\_\_\_ Wood \_\_\_\_\_ Sealock \_\_\_\_\_ Veitenthal \_\_\_\_\_