



Mayor Cockrell brought the meeting to order.

Roll Call by Clerk of Council

PLANNING COMMISSION

PRESENT: Chairman Daniel Wells
Vice Chairman Connie Marshner
Member Glenn Wood
Member Michael Williams
Member Brian Matthiae
Member Glenn E. Wood (stated will be sitting with Town Council)

TOWN COUNCIL

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

ABSENT: Councilwoman Amber F. Morris

OTHERS PRESENT: Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

Zoning and Subdivision Ordinance Update

Anne Darby with Summit Design recapped the process of this project beginning with a timeline that started in 2021 with the Comprehensive Plan that was adopted in May 2023. She explained that the zoning ordinance rewrite began in the fall/winter of 2022 with the Table of Contents being approved by the Planning Commission in spring 2023. She continued that a review of the draft ordinance was slated to be completed summer of 2024 with the final slated for approval fall of 2024. She stressed that while working on the Comprehensive Plan it was important to remove unnecessary obstacles with state code and processes and to not tackle new topics that could be addressed down the road. Ms. Darby expressed hope that she could receive feedback from the Council and the Planning Commission tonight to move forward with the zoning and subdivision ordinance revisions.

She gave a brief presentation that was a reminder of how the Comprehensive Plan's public input, future land use, charrette and open houses were all tied in with zoning. She advised that zoning was the primary tool that localities had to implement the Comprehensive Plan. The Future Land Use Map, she continued, provided guidance to the character of each area with zoning dictating what can be built in the future on the property. Ms. Darby advised that the existing zoning ordinance was adopted in the 1960s with amendments occurring many times over the years, making it often confusing and contradictory. She stated that it did not clarify the roles of the Town Council, Planning Commission and Staff and was out of line with best practices and the state code.



She continued with the progress thus far on the zoning ordinance rewrite: 1) Table of Contents was approved by the Planning Commission in spring 2023, 2) general organization, 3) brought over all effective and relevant language from the existing zoning ordinance, 4) filled in gaps where necessary, 5) added succinct introductory sections with new general purpose and intent language, 6) defined the roles of Council, Planning Commission and Staff in the development process, 7) reviewed for alignment with state code and necessary revisions, 8) consolidated definitions to one section and removed contradictions, 9) replaced the sign ordinance with the Model Subdivision Ordinance (MSO) from the Local Government Attorneys of Virginia (LGAV), 10) replaced the floodplain ordinance with the Department of Conservation and Recreation's (DCR) Model Floodplain Ordinance, 11) removed ambiguities in variance and standard review procedures, noting that variances were stated clearly in the state code, 12) created Principal Use Table for ease of navigation and interpretation and 13) began to make revisions to zoning districts to align with existing lotting patterns and the Comprehensive Plan.

Member Matthiae questioned replacing the floodplain ordinance with DCR's model, how Federal Emergency Management Agency (FEMA) were involved and the requirement for floodplain insurance. Ms. Darby and Director of Planning Lauren Kopishke explained that FEMA stated the zone and DCR (state agency) stated how to regulate, noting that floodplain areas need local and state approval. It was confirmed that FEMA distributed maps to localities using a nationwide model while working with DCR. The floodplain insurance requirement; however, was not related to the zoning ordinance. Ms. Kopishke advised that the FEMA maps were reviewed a year ago.

Mayor Cockrell confirmed that the process was to rewrite the zoning ordinance and revise the subdivision ordinance.

Ms. Kopishke advised that there were a few topics for tonight's discussion that she and Ms. Darby were looking for feedback on. They included: 1) vape shops, 2) removing minimum parking standards, 3) accessory dwellings (differentiate between short-term rentals), and 4) entrance corridors.

Councilwoman DeDomenico-Payne questioned tent cities as a use. It was confirmed that tent cities were not permitted and if trespassing was an issue, it was up to the property owner to make the complaint as it was not regulated through the zoning ordinance. The discussion on accessory structures and short-term rentals began at this time with Ms. Darby explaining that short-term rentals were not addressed in the Comprehensive Plan and that some localities had separate accessory use and short-term rental ordinances suggesting that the short-term rental ordinance be reviewed at a separate time along with other emotional topics that may include temporary shelters, homelessness, etc. so that the zoning and subdivision ordinance revisions not get derailed. She assured everyone that amendments to the zoning and subdivision ordinances could be reviewed at a later time once the rewrite and revisions were completed and adopted.

Vape Shops - Ms. Darby explained that vape shops were considered a retail use and it had come down to definition since retail use did not include vape shops in certain districts and suggested to standardize references outlining the process for a special use permit in certain areas. Discussion ensued as to how vape shops could legally be regulated. It was reiterated that they were a retail use and the definition could identify floor space, setbacks, distance from various places such as churches, daycares, schools, etc., noting that a matrix was needed for potential future use as there was nothing that could be done about what was currently permitted. Member Williams voiced concern about the signs, flashing, and colors. Ms. Darby listened to their concerns and advised that most of what was being discussed was outside the scope of



zoning such as the concern about the product itself. She suggested that she continue to review and research in depth what the legal scope of zoning was to limit vape shops. She reiterated that zoning could add definitions and distances from various areas, noting there was a legal fine line.

Removing Minimum Parking Standards - Ms. Kopishke advised that she had seen the prohibition of specific businesses in some of the older homes located in the Historic District due to not enough parking as stated in the Town Code and suggested removing minimum parking standards in at least this district to allow businesses. Councilman Ingram noted that the buildings in the Historic District had been around longer than the streets and vehicles noting the reason for less parking in that area. He voiced concern for the parking issues surrounding the short-term rentals vs the long-term rentals. Councilman Wood suggested removing the parking standards as people will find a place to park.

Mayor Cockrell advised that there had been push back on the parking requirements for short-term rentals noting that once the short-term rental ordinance was approved it was understood that it would be revisited for any "tweaks" that needed to be made. Ms. Kopishke advised that the subdivision ordinance predated the short-term rental ordinance, explaining that all uses had to have some sort of parking requirement.

Councilman Rappaport voiced concern about removing the minimum parking requirements in high density areas opining that Front Royal was more urban than rural.

Councilwoman DeDomenico-Payne questioned handicapped accessible spaces if minimum parking standards were removed. Ms. Kopishke advised that ADA (American Disabilities Act) was an entirely different discussion.

Discussion ensued about various older homes having numerous individuals living in them, creating parking issues in the neighborhood. Ms. Kopishke suggested that the Planning Commission work through the "weeds" in the subdivision ordinance and provide a parking table.

Accessory Dwelling Units (Differentiate between Short-Term Rentals) – Discussion ensued with various questions related to setbacks and whether separate water and sewer connections were required on the same lot. Ms. Darby advised that accessory dwelling units were already legal and found in the Comprehensive Plan, noting that they only needed to be updated in the zoning ordinance. She suggested that short-term rentals in general be separated due to it being contentious and there was indecisiveness on locations and financial issues involved with collection of taxes. She advised that short-term rentals were allowed but based on the discussion tonight specifics needed to be reviewed and worked out possibly at a later time so as not to derail the rewrite of the zoning ordinance. Discussion continued as to what could be changed for short-term rentals finally agreeing to not make any major changes to the zoning ordinance only to adding short-term rental to the parking table and placing it as an item for discussion at a future meeting.

Entrance Corridors - Ms. Kopishke advised that entrance corridors were not aesthetically pleasing with traffic issues and suggested, from a zoning perspective, to analyze appropriate setbacks noting that the entrance overlay district was very generalized and did not have a lot of guidance. It was stated that signage and lighting were the top concerns. Ms. Kopishke suggested that canopies and pumps could be regulated through zoning. Ms. Darby advised that signage width could be regulated by the speed of the road, explaining that as the road narrows the speed lowers and signs get smaller. She also advised that



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

landscaping could also be reviewed. She suggested to continue reviewing this section of the zoning ordinance and make suggestions. It was confirmed that color could not be regulated by zoning.

Discussion ensued about various zones and districts referring to the most recent project including the Planned Neighborhood District (PND) and how recommendations were given to Council and how Council was making their own decisions. Ms. Darby reminded them that they did not have basic expectations outlined as to what the Town was looking for in development, reiterating that the zoning ordinance rewrite will establish basic rules to assist staff in making clear decisions.

It was mentioned to have another joint meeting potentially to discuss PND and how the Comprehensive Plan was being read by the two entities.

Adjourned approximately 8:45pm

Approved by Town Council

Date: 3/25/24