

PLANNING COMMISSION WORK SESSION
Wednesday, July 2, 2025 @ 6 PM
Town Hall – 2nd Floor, East Conference Room

AGENDA

CALL TO ORDER

ROLL CALL

WORK SESSION BUSINESS

1. 2500218 - A Zoning Text Amendment to Town Code Chapter 175-84.B to add language restricting the redevelopment of historic residential sites to single-family dwelling units in the Residential Area of the Towns' Historic District, and Chapter 175-29 to add language preventing the conversion of single-family residential structures into multifamily or two-family dwellings. - *L. Kopishke & J. Ware*
2. 2500320 - A Zoning Text Amendment to Chapter 175-3 to define Designated Special Circumstance Housing, and §175-12.1, §175-18.2.B, §175-20.1, §175-30, and §175-37.3 to add Designated Special Circumstance Housing performance standards by Special Use Permit and create Chapter 175-153 to add Designated Special Purpose Housing performance standards. - *Vice Chairman Neel*
3. Article 11 – Definitions (Draft Zoning Ordinance)

ADJOURNMENT

WORK SESSION – ITEM 1

- 1. 2500218 - A Zoning Text Amendment to Town Code Chapter 175-84.B to add language restricting the redevelopment of historic residential sites to single-family dwelling units in the Residential Area of the Towns' Historic District, and Chapter 175-29 to add language preventing the conversion of single-family residential structures into multifamily or two-family dwellings. - *L. Kopishke & J. Ware***

Background

Text Amendment Request from BAR

In an effort to further maintain the historic character of Front Royal's historical district, we are writing to formally request a zoning text amendment to limit all new construction in the residential portion of the district to only single-family homes and preserve all existing single-family homes as single-family homes.

PC Considerations/Tasks

- Current Code allows formerly single-family dwelling units to be converted into more than one dwelling unit
- Prevent vacant lots in Historic District from be developed into anything other than a Single-Family dwelling
- Changes seem to impact 3 areas in the zoning text
 - BAR Responsibilities/Authority
 - R-3 Allowed uses

Proposed Amendment Language (BAR):

New Construction in the Residential Historic District:

All new construction within the boundaries of Front Royal's Historic District shall be limited to single-family residential structures. Multi-family or commercial developments shall not be permitted in the residential portion of this district.

Preservation of Existing Single-Family Homes (BAR):

Any existing single-family home within Front Royal's Historic District shall be preserved as a single-family home. The conversion of any existing single-family dwelling into a multi-family dwelling, commercial property, or any other non-residential use shall be prohibited.

HISTORIC DISTRICT OVERLAY AREAS

(Adopted 10-23-78; Amended Entire Section 4-13-92 and 3-22-93)

175-82 STATEMENT OF INTENT (Historic District)

A. The intent of this Article is to promote and protect the health, safety, comfort, recreation, prosperity and general welfare of the community through the identification, preservation and enhancement of buildings, structures, neighborhoods, landscapes, places and areas which have special historical, cultural, artistic, architectural or archaeological significance as provided by §15.2-2306 of the Code of Virginia, as amended.

(Amended VA Code Reference 9-25-00-Effective Upon Passage)

B. It is hereby recognized that the deterioration, destruction or alteration of said buildings, structures, places and areas may cause the permanent loss of unique resources which are of great value to the people of Front Royal, Warren County, the State of Virginia and the nation and that the special controls and incentives are warranted to ensure that such losses are avoided when possible.

C. The purposes of establishing historic resource overlay areas are:

1. To preserve and improve the quality of life for residents of the Town of Front Royal by protecting familiar and treasured visual elements in the area.
2. To promote tourism by protecting historical and cultural resources attractive to visitors and thereby supporting local business and industry.
3. To stabilize and improve property values by providing incentive for the upkeep and rehabilitation of older structures and by encouraging desirable uses and forms of economic development.
4. To educate residents on the local cultural and historic heritage as embodied in the Historic District Overlay Areas and to foster a sense of pride in this heritage.
5. To promote local historic preservation efforts and to encourage the identification and nomination of qualified historic properties to the National Register of Historic Places and the Virginia Landmarks Register.
6. To prevent the encroachment of additions or new buildings and structures that are architecturally incongruous with their environs within areas of architectural harmony and historic character.

175-83 DEFINITIONS (Historic District)

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

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

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

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

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

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

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

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

LOCAL HISTORIC LANDMARK - Any site (including significant trees or other plant life located thereon), building or structure of particular historic significance. "Landmarks" include sites, buildings or structures where the cultural, political, archaeological,

spiritual, economic, social or artistic history of the community, state or nation is reflected or exemplified or which are identified with historic personages or with important events in local, state or national history or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, style or method of construction or a notable work of construction or a notable work of a master designer or architect whose individual genius influenced his age. Listing on the Virginia Landmarks Register and the National Register of Historic Places is encouraged for all "local historic landmarks."

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

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

RECONSTRUCTION - Any or all work needed to remake or rebuild all or a part of any building to a sound condition but not necessarily of original materials.

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

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

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

(Added 10-27-97-Effective Upon Passage)

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

(Added 10-27-97-Effective Upon Passage)

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

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

175-84 BOARD OF ARCHITECTURAL REVIEW (Historic District)

A. Establishment and Terms of Office:

1. A Board to be known as the "Board of Architectural Review (BAR)" is hereby established and shall consist of five (5) voting members who shall be appointed by the Town Council. All members shall have a demonstrated interest competence or knowledge in historic preservation. One (1) member shall be a property owner/resident of an historic district overlay area and one (1) shall have professional training or equivalent experience in architecture, history, American studies, architectural history, archaeology or planning. All members shall be residents of Warren County, with knowledge of and demonstrated interest in the historic character of the Town. These members shall serve terms of four (4) years each. (Amended 10-27-97, 1-8-01, 1-12-04-Effective Upon Passage)

2. BAR members may be reappointed for consecutive terms.

3. The BAR shall elect from its own membership a Chairman and Vice Chairman, who shall serve annual terms as such and who may succeed themselves. The Board shall appoint a Secretary who shall serve at its pleasure.

4. When a vacancy occurs, a new appointment shall be made by the Town Council for the unexpired terms within sixty (60) days after the vacancy occurs. The Town Council shall publicly announce and solicit qualified candidates for Board of Architectural Review vacancies.

5. Any appointed member of the BAR may be removed from office by the Town Council for inefficiency, neglect of duties or malfeasance. An appointment to fill a vacancy shall be only for the unexpired term on the vacancy.

6. Members shall make every effort to attend at least one (1) training session annually sponsored by the Department of Historic Resources, the Preservation Alliance of Virginia or other organizations that are involved with historic preservation issues, design and review standards or other work of the BAR.

B. Duties, powers and responsibilities: The Board of Architectural Review shall have the power and authority for issuing or denying certificates of appropriateness for construction, reconstruction, substantial exterior alteration, **protecting single family structure, limiting development of undeveloped lots to single family use**, razing or relocation within the historic district overlay area. In addition, the Board shall have the following duties:

1. To assist and advise the Town Council, the Planning Commission and other Town departments, agencies and property owners in matters involving historically significant sites and buildings or other properties in historic districts, such as but not limited to appropriate land usage, parking facilities and signs.

2. To continuously evaluate conditions and to advise owners of historic landmarks or contributing structures or other properties in historic districts on problems of preservation.

3. To conduct studies deemed necessary by the Town Council or the Planning Commission concerning location of historic districts and means of preservation, utilization, improvement and maintenance of historic assets in the Town.

4. To propose additional historic districts or additions or deletions to districts.

5. To adopt standards for review to supplement the standards set forth in this Article.

6. To establish an appropriate system of markers for selected historic sites and buildings, including proposals for the installation and care of such historic markers, and to invite each owner of a building of historical significance to display the marker thereon.

7. To cooperate with and enlist assistance from the Virginia Department of Historic Resources, the National Trust for Historic Preservation and other interested parties, both public and private, in its efforts to preserve, restore and conserve local historic landmarks, buildings, sites or areas within the Town.

8. To prepare and adopt specific guidelines, illustrated as necessary, for those historic districts which have special characteristics and architectural features that are peculiar to the district and which should be preserved and to make these guidelines available to property owners within each historic district and to the general public. After these historic districts are approved, specific guidelines shall be adopted for such historic districts as may require specific guidelines.

9. To preserve existing single-family home within Front Royal's Historic Districts.

10. To prevent the conversion of any existing single-family dwelling into a multi-family dwelling, commercial property, or any other non-residential use.

11. To ensure all new construction within the boundaries of Front Royal's Residential Historic Districts is limited to single-family structures.

12. To prevent the development of Multi-family development in the residential portion of this district.

13. To ensure non developed residential lots within the historic district be developed only as single-family residence.

14. To sponsor public information activities, when deemed appropriate, publicizing historic preservation efforts, which activities may include, but not be limited to, speaking engagements, handouts, press releases and films.

275 15. To hold public meetings as often as necessary to fulfill the responsibilities
276 assigned by this Article.

277
278 C. Organization and Meetings:

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280 1. The Chairman shall conduct the meetings of the BAR.

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282 2. The Secretary shall keep the minutes of the meetings and a permanent record of
283 all resolutions, motions, transactions and determinations.

284
285 3. All members of the BAR, except for advisory members, shall be entitled to vote;
286 and the decisions of the BAR shall be determined by a majority vote.

287
288 4. A quorum of three (3) voting members present is required before the BAR may
289 take any official action.

290
291 5. The BAR shall meet within twenty (20) days after notification by the Zoning
292 Administrator of an application for a certificate of appropriateness or a permit requiring
293 action by the BAR.

294
295 6. The Board of Architectural Review shall have regularly scheduled meetings at
296 least four (4) times a year. The meetings of the BAR shall be open to the public, and a
297 full and impartial hearing shall be granted. All regularly scheduled meetings shall be
298 conducted in the evening hours for the convenience of the public.

299
300 7. The BAR shall vote and announce its decision on any matter properly before it
301 not later than forty-five (45) days after the conclusion of the hearing on the matter,
302 unless the time is extended with the written consent of the applicant.

303
304 8. In matters covering the procedures for meetings not covered by this document,
305 the BAR may establish its own rules, provided that they are not contrary to Town policy
306 or the intent of this Article.

307
308 D. Authority to Receive Funding and Advisory Services:

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310 1. All persons interested in the preservation of historic buildings or historic sites in
311 the Town are invited to make gifts, devises and bequests to the Town to be used for that
312 purpose. All such donations, other than money, shall be subject to acceptance by the
313 Town Council. All donations of money shall be made through the Department of
314 Finance, and it is hereby authorized and directed to receive such donations and to
315 deposit them in a special fund to be known as the "Historic Buildings and Sites Trust
316 Fund, " and shall be used only for the purpose of preserving and promoting the
317 preservation of historic buildings and sites in the Town. Expenditures from such fund
318 shall be made by the Town Manager as authorized, from time to time, by the Town
319 Council.

2. The BAR may seek federal, state or private grants or funding to assist in the performance of its duties as herein defined.

3. Within the limits of funds that may be made available to the BAR for the performance of its work, the BAR may obtain services of qualified persons to advise and assist the BAR as required.

4. Upon request of the BAR, with approval by the Town Manager, the departments, boards, commissions, offices and agencies of the Town government shall furnish to the Board such available information and render such service as may be required for the exercise of the powers and performance of the duties of the BAR.

175-85 CREATION OF HISTORIC DISTRICTS AND LANDMARKS

A. The Board of Architectural Review shall prepare and recommend for adoption as part of this Article a district boundary map and an inventory map covering the area or areas to be considered for inclusion in an historic district overlay area. These maps, when adopted in accordance with the provisions of the Code of Virginia Section 15.2-2285, shall be as much a part of this Article as if fully described herein and shall be filed as a part of this Article by the Clerk of the Town of Front Royal. The inventory map shall delineate local historic landmarks, contributing properties and noncontributing properties. The inventory and district boundary maps may be amended, from time to time, in the same manner as the Zoning District Map.

(Amended VA Code Reference 9-25-00-Effective Upon Passage)

B. The Board of Architectural Review may propose to the Planning Commission and the Town Council such amendments as deemed appropriate, including the establishment of historic districts or revision to existing historic districts. Upon receipt of said proposal, the Council may initiate such amendment pursuant to Section 175-146. The Board of Architectural Review shall prepare and submit simultaneously with said proposal a report to substantiate establishment of a historic district or a proposed amendment. Such report shall establish and define the historic district boundaries, as delineated upon an appropriate map, as well as describe the historic and/or architectural significance of the buildings, structures or sites to be protected, and the special characteristic, qualities and/or fabric to be preserved, and shall describe present trends and conditions, current and long-range planning and desirable public objectives for preservation. The report may also include plans for public action in or adjoining a district that is likely to affect its character or development.

C. Applications for the creation or expansion of an historic district or for the designation of landmarks or landmark sites may also be filed by the Planning Commission, the Town Council, the owner, the contract purchaser with the owner's written consent or the owner's agent or sixty percent (60%) of the owners of all buildings within a proposed historic district. All requests shall be made in the same manner as other zoning amendments, as provided for in Section 175-146.

D. Any historic district and any historic district map which have been created and adopted by the Front Royal Town Council prior to the amendment of this Article shall not be repealed but shall remain intact and in effect, subject now to the provisions of this amended Article.

E. Any historic district created and adopted by the Front Royal Town Council after February 1, 1993, shall remain in effect, except as amended or modified pursuant to the regulations herein, for an initial maximum period of ten (10) years from the date of its adoption. Subsequent action by the Front Royal Town Council shall be made to continue the district beyond the initial ten-year period.

F. Upon the presentation of a request to withdraw from an adopted subarea within the historic district overlay area, with such request having been duly executed by at least sixty-seven percent (67%) of the owners of taxable parcels (with a vote for each separate tax parcel) within the designated historic subarea, the Town Council, at its next meeting, shall take appropriate action to remove the historic district designation. This provision shall be applicable only where the historic resource overlay area shall have been in place for a period of not less than two (2) years.

175-86 CRITERIA FOR SELECTION OF HISTORIC DISTRICTS OR LANDMARKS

Criteria for evaluating the merits of a given structure or space shall be based on architectural features as well as historic factors. Certain buildings or areas, although not associated with an historic personage or event, may be valuable examples of the Town's physical and cultural heritage. Structures of local significance shall be evaluated, as well as those of state and national significance, and any structures individually listed upon the National Register of Historic Places or the Virginia Landmarks Register shall be designated upon the Town Register. In addition, such evaluation shall be based on the following specific matters:

A. Architectural and landscape style: The evaluation shall respect the qualities of each architectural and landscape style and shall judge a structure's merit on how well it exemplifies the distinguishing characteristics of said style. Consideration will be given to:

1. The significance of the architectural design.
2. The scale and/or interrelationships of the structures and/or environmental features.
3. The significant patterns of development.
4. The quality of workmanship.
5. The amount of surviving original fabric.
6. The original location and use.
7. The remaining outbuildings or dependencies.
8. The surrounding environment; gardens, landscaping and walks.
9. The aesthetic quality.
10. The original integrity of the structure and its details.

B. Historical and/or cultural significance:- Structures or spaces relating to one (1) or more of the following criteria will be considered historically or culturally valuable:

- 414 1. Association with an historic personage.
415 2. Association with an historic event.
416 3. Work of the leading architect or master craftsman.
417 4. Site or structure of cultural significance.

418
419 C. In addition, sole or infrequent surviving building types and structures not historic in
420 themselves but adding to the character of an historic district need to be looked at as
421 potentially deserving preservation.

422 175-87 BOUNDARIES OF HISTORIC DISTRICTS OR LANDMARKS

423 A. The boundaries of an historic district or overlay area shall, in general, be drawn to
424 include areas containing buildings or places in which historic events occurred or having
425 special public value because of notable architectural or other features relating to the
426 cultural or artistic heritage of the community of such significance as to warrant
427 conservation and preservation. The district may include either individual buildings or
428 places of such character and a reasonable distance beyond, or it may include areas or
429 groupings of structures which have significance relative to their patterns of development
430 or social and economic or architectural interrelationships even though some structures
431 in the area might not possess significant merit when considered alone. In any case, the
432 location of the district shall be based upon careful studies that describe
433 the characteristics of the area and support the purposes of conservation and
434 preservation.

435
436 B. The boundaries of an historic district shall conform to the boundaries of individual lots
437 of record. Where a street is proposed as an historic district boundary, the edge right-of-
438 way adjoining the district shall be deemed the district boundary.

439
440 C. Historic districts are created as special overlay districts to be superimposed on other
441 zoning districts contained in these regulations, and are to be so designated on the
442 Official Zoning Map. The uses, housing types, minimum lot requirements, minimum yard
443 requirements, maximum height and accessory uses and accessory signs shall be
444 determined by the regulations applicable to the other districts over which the historic
445 districts superimposed, except as these other districts may be modified by application of
446 the regulations in the historic district.

447
448 D. A map delineating the adopted boundaries of each historic district shall be
449 maintained in the office of the Zoning Administrator.

450
451 175-88 CERTIFICATE OF APPROPRIATENESS REQUIRED (Historic District)

452 A. No building or structure within the Chester Street and downtown business areas of
453 the Historic Front Royal District shall be erected, reconstructed, altered or restored
454 unless and until an application for a certificate of appropriateness shall have been
455 approved under the provisions of this Article.

456
457 B. No building or structure within the downtown residential area of the Historic Front
458 Royal District or property designated as a local historic landmark shall be
459 erected, reconstructed or undergo substantial exterior alteration unless and until an

application for a certificate of appropriateness shall have been approved under the provisions of this ordinance.

C. No building existing in any designated historic district shall be demolished or removed, in whole or in part, unless and until an application or a certificate of appropriateness shall have been approved by the Board of Architectural Review.

D. No application for a certificate of appropriateness to demolish a building in any historic district shall be considered by the BAR until a public hearing has been held thereon, pursuant to the notice of public hearing as required in Section 15.2-2204, Code of Virginia, as amended.

(Amended VA Code Reference 9-25-00-Effective Upon Passage)

175-89 BOARD REVIEW OF MAJOR ACTIONS (Historic District)

A. The following major actions and any other actions not specifically exempted by the terms of this ordinance or which, in the opinion of the Administrator, may constitute a major permanent and detrimental change to the character of an historic district shall be approved only after a public meeting and favorable action by a majority vote of the Board of Architectural Review:

1. The razing, demolishing or moving of a designated landmark or contributing structure.

2. Construction of any new main building, or an accessory building which exceeds five hundred (500) square feet in size within a designated historic district or on a site adjacent to a designated landmark site.

3. Any addition to or substantial alteration of a designated landmark or structure on a contributing property, which increases the square footage of the structure or otherwise alters substantially its size, height, contour or outline.

4. Any significant change or alteration of the exterior architectural style of a designated landmark or contributing property.

5. Any addition to a non-contributing structure, which alters substantially the size height, contour or outline by increasing the square footage and/or volume of the structure by one hundred percent (100%) or more of the original structure.

6. Any fence or sign that is not in conformance with the design guidelines adopted in accordance with this Article.

7. Any other major actions not specifically covered by the terms of this section but which would have a substantial effect on the character of the Historic District.

B. The Board of Architectural Review shall be guided in its review by the guidelines and criteria established in Section 175-91. The BAR shall have authority to request modifications in order to comply with the guidelines and criteria.

C. The Board of Architectural Review shall not disapprove an application except with respect to the criteria and guidelines set forth in Section 175-91. The BAR shall give reasons for its decisions, shall act promptly on applications before it and shall coordinate its procedures with those of other agencies and individuals charged with the administration of this Article. The BAR shall be strict in its judgment of plans for those structures designated as landmarks and contributing properties but shall be lenient in its judgment of plans for non-contributing properties. For plans involving new construction the Board's concern shall focus on whether such plans are compatible with and enhance the historic or architectural value of surrounding structures or the surrounding area.

D. In all final decisions rendered pursuant to this Article, the BAR shall briefly state its findings in writing, and in the case of disapproval, it may make recommendations to the applicant with respect to the design, texture, material, color, line, mass, dimension or lighting of the alteration or the improvement involved. The requirements of this section shall be deemed to have been satisfied if such findings and recommendations, if any, are set forth in the regularly maintained minutes of the BAR.

(Amended/Added "C & D" 10-27-97-Effective Upon Passage)

175-89.1 ACTIONS REQUIRING ADMINISTRATIVE REVIEW (Historic District)

A. The following actions will require administrative review by the Zoning Administrator:

1. The razing, demolishing, or moving of a non-contributing structure or a structure which is substantially damaged to the point of being completely uninhabitable.

2. Construction of a new accessory structure less than five hundred (500) square feet in size within a designated historic district or on a site adjacent to a designated landmark site that is generally in keeping with the character of the historic district and its surroundings.

3. Substantial alteration of a non-contributing structure.

4. Any addition to a non-contributing structure, which increases the size (square footage and/or volume) of the structure by less than one hundred percent (100%) of the original structure.

5. Landscaping, fences and signs in conformance with the design guidelines adopted in accordance with this Article.

B. The Zoning Administrator shall be guided in his decisions by the standards and guidelines adopted by the Board of Architectural Review and shall have authority to request modifications of specific proposal in order that the proposal may comply with said standards and guidelines. In any case where the Administrator is uncertain of his authority to act on a particular application under this section or in any case where the Administrator and the applicant cannot agree on changes in the proposal, the application shall be referred to the Board of Architectural Review for action by said

Board. In case of disapproval by the Administrator, the applicant may appeal the Administrator's decision within thirty (30) days thereof to the Board of Architectural Review. The Administrator shall keep a record of his decisions under this section and shall report such decisions to the Board of Architectural Review at its next regular meeting.

(Amended Entire Section 10-27-97-Effective Upon Passage)

175-90 EXEMPTIONS FROM REVIEW (Historic District)

Certain minor actions which are deemed not to permanently affect the character of the historic district are exempted from review for architectural compatibility. Such actions shall include:

1. Repainting resulting in the same or a similar color. (Original painting of masonry surfaces is not exempted from review.)

(Amended to add "*similar*" 6-22-15-Effective Upon Passage)

2. Repair or construction in kind, resulting in no significant changes in appearance or form.

3. Addition or deletion of storm windows and doors, window gardens, awnings, temporary canopies or similar appurtenances and window air conditioners.

4. Addition or deletion of television or radio antennas, skylights or solar collectors in locations not visible from a public place.

5. Installation of plant materials but not including landscape treatment which substantially alters the contour of a contributing property or involves landscaping or construction of fences, pools and the like that affect the appearance of a contributing property.

6. Permitted outside storage in a residential or commercial district that does not require structural changes.

7. Improvements, alterations and renovations that can be accomplished without obtaining a building permit, except fences, signs, and window replacement.

8. Any changes to a structure that are not visible from a public street, alley or public place.

9. Temporary window signs. (Amended Entire Section 10-27-97-Effective Upon Passage)

175-90.1 AUTHORITY TO STOP WORK (Historic District)

The Zoning Administrator shall have authority to order that work be stopped and that an appropriate application be filed or reviewed in any case where, in his opinion, the action may produce arresting and spectacular effects, violent contrasts or materials or colors

and intense and lurid colors or patterns or a multiplicity of incongruous details clearly inconsistent with the character of the present structures or with the prevailing character of the surroundings and the historic district or when it appears that the work does not conform to the list of administrative review or exempted actions stated herein and, in fact, is more extensive than originally represented.

(Added 10-27-97-Effective Upon Passage)

175-91 GUIDELINES AND CRITERIA FOR REVIEW (Historic District)

A. All reviewing bodies shall be guided by the following guidelines and criteria:

1. The historic archaeological or architectural value and significance of a structure and its relationship to the historic value of the surrounding area.
2. The age and character of the historic structure, its condition, and its probable life expectancy and the appropriateness of the proposed changes to the period or periods during which the structure was built.
3. The general compatibility of the site plan and the exterior design arrangement, texture and materials proposed to be used.
4. The view of the structure or area from a public street or road, present or future.
5. The present character of the setting of the structure or area and its surroundings.
6. The probable effect of proposed construction on trees, wooded areas or historic sites.
7. Any other factors, including aesthetic factors, which the reviewing bodies deem to be pertinent.
8. The appropriateness of the exterior architectural features of such building or structure to the compatibility with the exterior architectural features of landmarks, buildings or structures in the district, taking into consideration the following:
 - a. General design.
 - b. Character and appropriateness of design.
 - c. Form.
 - d. Proportion and scale.
 - E. Mass.
 - f. Configuration.
 - g. Arrangement.
 - h. Texture.
 - i. Material
 - j. The permanent color of exterior materials (excluding paint).
 - k. The relationship of such elements to similar features of structures in the immediate surroundings.
 - l. Congruity with the character of the Historic District.

B. The reviewing bodies shall not adopt or impose any specific architectural style in the administration of this Article.

C. The reviewing bodies shall also be guided by the purposes for which landmarks, landmark sites and historic districts are designated and by the particular standards and considerations contained in the Secretary of the Interior's Standards for Rehabilitation.

(Amended Entire Section 10-27-97-Effective Upon Passage)

175-92 ISSUANCE OF CERTIFICATE OF APPROPRIATENESS (Historic District)

A. Within fifteen (15) days of approval for construction or alteration pursuant to 175-88, a certificate of appropriateness signed by the Zoning Administrator and bearing the date of issuance but subject to the provisions of 175-92B, shall be made available to the applicant.

B. Any certificate of appropriateness issued pursuant to 175-88 shall expire of its own limitations twelve (12) months from the date of issuance if the work authorized by said certificate has not commenced and, further, if any such work is suspended or abandoned for a period of twelve (12) months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this Article shall be excluded from the computation of the twelve- month period.

(Amended Entire Section 10-27-97-Effective Upon Passage)

175-93 BUILDING DEMOLITION AND RELOCATION (Historic District)

A. No historic landmark, building or structure within any historic district shall be razed, demolished or moved until the razing, demolition or movement thereof is approved by the Board of Architectural Review or approved on appeal as provided herein.

B. Notwithstanding the provisions of Subsection A, the owner of a historic landmark, building or structure shall, as a matter of right, be entitled to raze or demolish such a building or structure, provided that:

1. He has applied to the Town Council for such right;

2. The owner has, for the period of time set forth in the time schedule hereinafter contained and at a price reasonably related to its fair market value, made a bona fide offer to sell such building or structure and the land pertaining thereto to any person, firm, corporation, government or agency thereof or political subdivision or agency thereof which gives reasonable assurance that it is willing to preserve and restore the building or structure and the land pertaining thereto. In order to demonstrate the making of a bona fide offer to sell, the owner shall file a notice with the Zoning Administrator identifying the property and stating the offering price and the name of the real estate agent, if any. No time period set forth herein shall begin to run until said notice has been filed. Within five (5) days of receipt, copies of the notice shall be delivered by the Zoning Administrator to the members of the Town Council, the members of the Planning Commission and the Town Manager; and

3. No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such building or structure and the land pertaining thereto prior to the expiration of the applicable time period set forth in the time schedule hereinafter contained. Any appeal from the decision of the BAR, whether instituted by the owner or by any other proper party, notwithstanding the provisions herein pertaining to a stay on appeal, shall not affect the right of the owner to make the bona fide offer to sell. No offer to sell shall be made more than one (1) year after the final decision of the BAR, but thereafter the owner may renew his request to the BAR to approve the razing or demolition of the historic landmark, building or structure. The time schedule for offers to sell shall be as follows:

OFFERING PRICE	MINIMUM OFFER-TO-SELL Period (Months)
Less than \$25,000.00	3
\$25,000.00 to \$39,999.99	4
\$40,000.00 to \$54,999.99	5
\$55,000.00 to \$74,999.99	6
\$75,000.00 to \$89,999.99	7
\$90,000.00 or more	12

4. For the purpose of this Article, a bona fide offer to sell shall be defined as a selling price not greater than ten percent (10%) more than the fair market value appraisal of a certified land appraiser employing appropriate, recognized appraisal criteria for the area in question. The Town shall retain the right to contest the bona fide nature of the offer as follows: the reasonable relationship of the offering price to the fair market value of the historic landmark, building or structure, by filing injunctive proceedings in the Warren County Circuit Court, whenever the Town obtains an appraisal of the property in question by a certified land appraiser at a value at least ten percent (10%) below the offering price asked by the owner, regardless of any conflicting appraisal obtained by the property owner.

175-94 APPEALS (Historic District)

A. Any applicant aggrieved by a final decision of the Board of Architectural Review may appeal said decision to the Front Royal Town Council, provided that such appeal is filed, in writing, with the Town Clerk within ten (10) days after the final decision is rendered by the BAR. The Town Council will hear the matter at its next regularly scheduled meeting and will render its decision on the appeal at the following regularly scheduled meeting. The Council, in its discretion, may consider additional evidence and submissions during the period between meetings and at the second regularly scheduled meeting prior to rendering its decision.

B. Any applicant aggrieved by a final decision of the Board of Architectural Review following the decision rendered on appeal to the Front Royal Town Council, may appeal said decision to the Circuit Court of Warren County, Virginia, by filing a petition at law

741 setting forth the alleged illegality of the BAR's action, provided that such petition is filed
742 with the Circuit Court within thirty (30) days after the appealed decision of the Front
743 Royal Town Council. The filing of said petition with the Circuit Court shall stay the
744 decision of the BAR pending the outcome of the appeal, except that the filing of such
745 petition shall not stay the decision of the BAR if such decision denies the right to raze or
746 demolish an historic landmark, building or structure. The Circuit Court may reverse or
747 modify the decision of the BAR, in whole or in part, if the Court finds, upon review, that
748 the decision is arbitrary and constitutes an abuse of discretion. The Circuit Court may
749 also affirm the decision of the BAR.

750
751 175-95 MAINTENANCE, PUBLIC SAFETY AND PERMITTED USES (Historic District)

752 A. Nothing in this Article shall allow the BAR to prevent the routine maintenance or
753 repair of any exterior elements of any building or structure so long as there is no change
754 in form or materials; nor shall anything in this Article be construed to prevent the
755 construction, reconstruction, alteration or demolition of any exterior elements that the
756 authorized municipal officers shall certify as required by public safety.

757
758 B. Nothing in this Article shall be construed to prevent any use of any land, building or
759 structure permitted by the regulations prescribed in this Chapter for the district in which
760 such land, building or structure is otherwise located. Due to peculiar conditions of
761 design and construction in historic neighborhoods where buildings and structures
762 are often built close to the lot lines, it is in the public interest to retain a neighborhood's
763 historic appearance by granting variances to normal yard requirements, where
764 appropriate and where it is deemed that such a variance will not adversely affect
765 neighboring properties. The BAR may recommend to the Board of Zoning Appeals that
766 such variance to standard yard requirements be made.

767 175-96 YARD VARIANCES (Historic District)

768 Due to peculiar conditions of design and construction in historic neighborhoods where
769 buildings and structures are often built close to the lot lines, it is in the public interest to
770 retain a neighborhood's historic appearance by granting variances to normal yard
771 requirements, where appropriate and where it is deemed that such a variance will not
772 adversely affect neighboring properties. The BAR may recommend to the Board of
773 Zoning Appeals that such variance to standard yard requirements be made.

774 175-97 (RESERVED)

775
776 175-98 EXEMPTION FOR PUBLIC WORKS (Historic District)

777 The Front Royal Town Council may exempt public structures, works, utilities and
778 buildings from compliance with this Article where public safety is endangered or an
779 emergency situation arises. Retroactive approval for emergency work undertaken shall
780 be sought within thirty (30) days following completion of the work. All work shall strive
781 to maintain architectural compatibility within the historic district for its public works and
782 structures.

787 USES PERMITTED BY RIGHT (R-3) (175-29)

788
789 A. Subject to the standards and requirements set forth in this Chapter, except as
790 prohibited or restricted by separate restrictions of record that may pertain to property
791 within the R-3 District, the following uses of land and buildings are permitted by-right in
792 the R-3 District:

793
794 RESIDENTIAL

795 Duplexes

796
797 Single-family dwellings, detached

798
799 Townhouses developed on sites of twenty thousand (20,000) square feet up to
800 one (1) acre as set forth in 175-112.

801
802 Two-family dwellings.

803
804 Duplexes, two-family dwellings, and townhouses are not permitted to be constructed
805 within the Residential portion of the Town of Front Royals' Historic District. Single-family
806 dwellings are not permitted to be converted into a two-family dwelling or duplex.

WORK SESSION – ITEM 2

- 2. 2500320 - A Zoning Text Amendment to Chapter 175-3 to define Designated Special Circumstance Housing, and §175-12.1, §175-18.2.B, §175-20.1, §175-30, and §175-37.3 to add Designated Special Circumstance Housing performance standards by Special Use Permit and create Chapter 175-153 to add Designated Special Purpose Housing performance standards. - *Vice Chairman Neel***

175-3 - DEFINITIONS

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

Designated Special Circumstance Housing - Residential accommodations that are specifically utilized to meet the needs of housing for individuals that fall in one of the following categories; a) Individuals with Developmental Disabilities, b) Veteran's Housing, c) Emergency Family Housing, d) Shelter for Domestic Abuse Victims, e) Shelter for At-Risk Children.

Individuals with Developmental Disabilities - Specialized living arrangements designed to help individuals with developmental disabilities transition from institutional settings or other environments into more independent, community-based living situations.

Veterans' Housing - Living arrangements designed to provide veterans with a safe, stable environment while they transition from military service to civilian life or while they wait for more permanent housing solutions.

Emergency Family Housing - Short-term housing, immediate shelter provided to individuals or families who are experiencing a crisis or urgent need for a place to stay.

Shelter for Domestic Abuse Victims - Shelter for domestic abuse victims refers to short-term, safe housing provided to individuals who are escaping situations of domestic violence or abuse.

Shelter for At-Risk Children - Shelter for children at risk generally refers to short-term housing or care provided to children who are in immediate danger or facing circumstances that put their safety, well-being, or development at risk.

DSCH Temporary Housing – 1 year or less

Congregate Living - Residential arrangement where multiple unrelated individuals of nine (9) or more persons live together in a shared housing environment, typically with some level of support or shared services. It is regulated separately from single-family homes or traditional apartment units due to its unique characteristics.

175-12.1 USES PERMITTED BY SPECIAL PERMIT (R-1)

- A. The following uses are permitted within the R-1 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 R-1 District:

RESIDENTIAL:

Designated Special Circumstance Housing

COMMERCIAL:

Bed and Breakfasts, as set forth in Section 175-107.2.

Day care, and day-care facilities as set forth in the Town Code Section 175-107.1.

INDUSTRIAL:

ORGANIZATIONAL:

Community Centers.

Fire and Rescue Squads and Police Stations.

MISCELLANEOUS:

Any use permitted under Section 175-12, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-17, 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.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

(Ord. of 7-28-08; Ord. of 6-22-15)

175-18.2 USE REGULATIONS (R-1A)

- A. Subject to the standards and requirements set forth in this Chapter, except as prohibited or restricted by separate restrictions of record that may pertain to property within the R-1A District, the following uses of land and buildings are permitted by-right in the R-1A District:

RESIDENTIAL:

Single-family dwellings, detached.

COMMERCIAL:

INDUSTRIAL:

ORGANIZATIONAL:

Churches.

Schools.

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open space and conservation areas.

Public facilities, excluding Fire and Rescue Squads and Police Stations.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Section 175-106.

Special childcare services.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

- B. The following uses are permitted within the R-1A 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 R-1A District:

RESIDENTIAL:

Designated Special Circumstance Housing

COMMERCIAL:

Day care, and day-care facilities as set forth in the Town Code Section 175-107.1.

INDUSTRIAL:

ORGANIZATIONAL:

Fire and Rescue Squad and Police Stations.

Public Libraries.

Community Center.

MISCELLANEOUS:

Any use permitted under Section 175-10.18.2.A, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-10.18.4, 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. Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

(Ord. of 7-25-05; Ord. of 7-28-08; Ord. of 6-22-15)

175-20.1 USES PERMITTED BY SPECIAL PERMIT (R-2)

The following uses are permitted within the R-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 R-2 District:

RESIDENTIAL:

Designated Special Circumstance Housing

COMMERCIAL:

Bed and Breakfast Uses set forth in Town Code Section 175-107.2.

Day care, and day-care facilities as set forth in the Town Code Section 175-107.1.

Nursing homes, as set forth in Section 175-107.

INDUSTRIAL:

ORGANIZATIONAL:

Fire and Rescue Squad and Police Stations.

Public Libraries.

Community Center (public).

MISCELLANEOUS:

Any use permitted under Section 175-20, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-26, 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.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

(Ord. of 7-28-08; Ord. of 6-22-15)

175-30 USES PERMITTED BY SPECIAL PERMIT (R-3)

The following uses are permitted within the R-3 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 R-3 District:

RESIDENTIAL:

Apartments as set forth in Section 175-113.

Townhouses on sites over one (1) acre, as set forth in Section 175-112.

Designated Special Circumstance Housing

COMMERCIAL:

Bed and Breakfast Uses set forth in Town Code Section 175-107.2.

Community Centers (public).

Conversion of a structure originally designed and intended for occupancy as a single-family dwelling into a structure with more than one (1) dwelling.

Day care, and day-care facilities as set forth in the Town Code Section 175-107.1.

Nursing homes, as set forth in Section 175-107.

INDUSTRIAL:

ORGANIZATIONAL:

Art galleries and museums.

Fire and Rescue Squad and Police Stations.

Public Libraries.

Community Center (public).

MISCELLANEOUS:

Any use permitted under Section 175-29, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-36, 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.

Cemetery, subject to the provisions in Section 175-107.4.

Lodging houses, rooming houses and boarding houses.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

(Ord. of 7-28-08; Ord. of 7-23-12; Ord. of 6-22-15; Ord. of 5-1-23)

PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT (PND)¹

¹Editor's note(s)—Adopted 4-11-05.

175-37.1 STATEMENT OF INTENT (PND)

Pursuant to Code of Virginia §§ 15.2-2201 and 15.2-2286, the Town Council of the Town of Front Royal establishes the Planned Neighborhood Development (PND) zoning ordinance to allow planned neighborhood development on large tracts of land characterized by unified site design for a variety of housing types and densities, clustering of buildings, common open space, and a mix of building types and land uses in which project planning (as permitted herein) and density calculation are performed for the entire development rather than on an individual basis. The purposes of the ordinance are to provide an alternative form of development that:

- A. Eliminates standard dimensional requirements while reserving sufficient natural open space for common use, conservation or recreational purposes, and providing adequate buffering between structures and adjacent properties;
- B. Enhances the physical appearance of the Town by preserving the Town's natural assets and distinctive character;
- C. Promotes more efficient use of land and provision of public facilities, utilities, streets, and services;
- D. Provides the opportunity for innovative combinations of integrated housing, recreation, neighborhood-oriented commercial, professional uses, and increased public amenities within a single development;
- E. Conserves natural and environmental resources and the integrity of natural systems;
- F. Encourages innovative residential development so that housing demands are met by a greater variety of types, designs, and layouts of residential structures;
- G. Encourages creative and site-sensitive developments by allowing increased overall density in exchange for planned neighborhood development pursuant to this chapter;
- H. Promotes the design of a walkable environment for pedestrians within the neighborhood which provides a circulation system for various transportation modes;
- I. Satisfies the general purposes of zoning regulations to promote health, safety, morals and general welfare of the community.

175-37.3 PERMITTED USES (PND)

- A. All planned neighborhood developments shall permit the following residential and accessory uses:
 - 1. Detached single-family dwellings;
 - 2. Two-family dwellings;
 - 3. Multi-family dwellings;
 - 4. Townhouses with a maximum of eight (8) units per structure;
 - 5. Accessory buildings or uses as defined in Town Code Section 175-3;
 - 6. Recreation or park facilities;
 - 7. Retirement living facilities (handicapped accessible);
 - 8. Municipal buildings or uses;
 - 9. Public utilities: poles, lines, booster and relay stations, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and

-
- sewerage systems. Such utilities shall be buried or otherwise screened in accordance with design standards of the development;
10. Home Occupations as set forth in Section 175-108;
 11. Public libraries;
 12. Schools;
 13. Churches;
 14. Special childcare services;
 15. Open space and conservation areas; and
 16. Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.
 17. **Designated Special Circumstance Housing**
- B. Planned neighborhood developments shall permit the following community and institutional uses under the terms set forth in Section 175-37.9, Density Bonus:
1. Day care centers; and
 2. Community Halls.
- C. Planned neighborhood developments comprising fifty (50) acres or more may contain the uses permitted in subsections A and B as well as the following commercial uses:
1. Neighborhood-oriented commercial businesses;
 2. Personal services;
 3. Business or professional offices;
 4. Neighborhood restaurants; and
 5. Banks, branch banks and financial institutions.
- D. Planned neighborhood developments may include the following uses provided such uses are either specifically approved as part of the original development plan or approved by special use permit in accordance with Section 175-136 if proposed subsequent to approval of the Master Land Use Plan.
1. Bed and Breakfast home.
 2. Assisted Living Facility or other nursing home as permitted in the R-3 District.
 3. Automotive fuel facilities in conjunction with neighborhood retail stores, provided adequate demonstration is made that the facility can be supported by the neighborhood in which it is located without attracting additional traffic into the neighborhood. Such facilities shall not include the storage or sale of automobiles, automotive mechanical or body repair work, painting, welding or other activities not normally associated with the dispensing of gasoline.
 4. Art galleries and museums.
- E. Except as otherwise specified for PND's, proposed uses within a PND shall be subject to the provisions set forth for such use in the Zoning Ordinance (Chapter 175 of the Town Code).
- F. *Prohibited Uses.* Junkyards, off-site signage, used automobiles and truck/trailer sales, manufactured and mobile homes, outdoor storage yards, and industrial uses are prohibited in a Planned Neighborhood Development.

175-153 Performance Standards for Designated Special Circumstance Housing

The following provisions shall apply to Designate Special Circumstance Housing (DSCH):

- A. All DSCH in residential zoning districts shall be restricted to not more eight (8) individuals along with one or more staff members. Congregate Living with one or more staff members may be approved in R-2 and R-3 residential areas via SUP on a case-by-case basis as state and local laws and regulations allow. Case-by-case evaluation includes type/size of home, acceptable number of residents, location, zoning district and other mitigating factors considered in the SUP application.
- B. All DSCH facilities shall be licensed by the appropriate state agency(s). The Virginia Department of Social Services (VDSS) oversees the licensing of shelters that provide services to adults and families, including domestic violence shelters.
- C. DSCH operations in residential districts shall be restricted to structures that are permitted by right in the respective residential district in question, or any facilities which are currently in existence as a nonconforming use.
- D. Any newly constructed DSCH facilities shall comply with all of the standards that exists in the residential zoning district where the structure will be located.
- E. All SPH in residential zoning districts shall be required to submit a management plan addressing staffing, resident services, security, and community engagement. This shall include; (1) A plat of the parcel and all buildings and structures thereon, both permanent and temporary; (2) Access control points and any fencing and screening for the parcel and all buildings and structures; (3) The use and occupancy of each room or space inside a building or structure, including accommodations for sleeping, accommodations for sanitary health and hygiene (e.g. sinks, toilets, latrines, showers, or washing stations); and accommodations for food preparation; (4) The size of emergency ingress points, egress points, and evacuation routes; (5) Smoke alarms, carbon monoxide alarms, and fire extinguishers; and (6) An operations information statement that shall include, at minimum, the following: a. The name of the operating entity, its articles of incorporation or similar organizational document and its bylaws, if any, and a statement of the operating entity's experience providing emergency housing, transitional housing, permanent supportive housing, or social service delivery; b. Anticipated dates, days, and hours of operation; c. Maximum intended number of overnight occupants, which shall at all times be in compliance with all applicable provisions of building, fire, health, and zoning codes; d. List of requirements for admission of occupants; e. Description of each staff position, qualifications necessary for each position, and a statement of the anticipated number of staff serving in such positions; f. Statement of intention, or not, to provide occupants meals, minor medical care, job counseling, and services to help occupants transition to more permanent housing, and if so, whether provision of each will be on or offsite, E. Pet care plan as required. After SUP approval, any changes to the management plan must be submitted to Front Royal Planning and Zoning for impact assessment.
- F. The SUP applicant must submit a plat of the property showing the existing conditions and location of the proposed parking and any anticipated parking waivers.
- G. DSCH use of the property shall not change the general exterior appearance of the dwelling unit or change the character of the neighborhood.
- H. In assessing the request for a special use permit to operate in residential zoning districts, the Council shall consider and may require the availability of safe on-site drop-off and pickup areas, outdoor play areas, fenced play areas, and pet accommodations. The Council shall also consider the nature and suitability of the proposed facility, the size, location and characteristics of the grounds or yard, the safety of the occupants at the facility, parking, the effects on nearby property and residents, and such other factors which the Council deems pertinent in assessing the suitability of any proposed DSCH operation in a residential zoning district.

A decorative graphic on the left side of the slide, consisting of a network of white lines and small circles on a blue gradient background, resembling a circuit board or a stylized tree structure.

Designated Special Circumstance Housing

Out-brief Report From Study (June 2025)

Impetus of Study

- Recent exemptions considered at the Planning Commission and Town Council have highlighted a need to support specialized housing for certain categories of persons in crisis
 - Critical specialized housing restrictions affects not just crisis survivors and their children, but entire communities and their economies
 - Specialized supported housing offer sanctuary and targeted support to survivors in ways that are proven to be beneficial to the general community well beyond their open doors
 - Current zoning regulations are unnecessarily too restrictive to allow specialized housing
 - Addressing needs with current code causes zoning conflicts and contradictions with possible unintended consequences
- Proposed zoning changes are enabler to solutions and not a solution unto itself

Basis of Study

- A blend of research and data gathering, impacted individual interviews and Support Organization interviews were conducted and compiled
 - 3 Private citizens impacted by Autism, Veterans, and Homelessness interviewed
 - Informal reports compiled on
 - At Risk Children
 - Autism and Special Needs
 - Domestic Abuse
 - Temporary Housing for Families in Crisis
 - Veterans Shelters and Specialized Needs
 - Formal Organizational Interviews Conducted With
 - Harvest Mission Outreach Center
 - Project Phoenix
 - Western Virginia Continuum of Care
 - Virginia Department of Veterans Services
- Study was conducted in coordination with Planning and Zoning as well as Planning Commission

Justification of Study

- Special Purpose Housing helps address Public Health and Safety Needs
 - Allowing crisis housing in more zones enables a thoughtful response to special needs groups and provides stabilization, reducing the strain on families, communities and shelters
 - Supports individuals with special needs or in life's transitions for integration into society in a residential setting
 - Provides shelter for victims of domestic violence with safe options in a residential setting
 - Creates opportunity for reintegration, recovery, and dignity

Focus Groups in Study

- **Housing for Individuals with Developmental Disabilities**
 - Housing for individuals with developmental disabilities refers to specialized living arrangements designed to help individuals with developmental disabilities transition from institutional settings, family homes, or other environments into more independent, community-based living situations. These housing programs often focus on helping individuals gain the skills and support they need to live as independently as possible, while also addressing any necessary medical, behavioral, or daily living assistance
- **Veteran's Housing**
 - Housing for veterans refers to living arrangements designed to provide veterans with a safe, stable environment while they transition from military service to civilian life or while they wait for more permanent housing solutions. These housing options are typically aimed at veterans who are in crisis or at risk of homelessness, or in need of a supportive environment during a period of recovery, adjustment, or reintegration
- **Emergency Family Housing**
 - Emergency housing refers to short-term, immediate shelter provided to individuals or families who are experiencing a crisis or urgent need for a place to stay. This type of housing is meant to offer a safe, temporary living space for people who have become homeless due to natural disasters, domestic violence, financial hardship, or other emergencies and who are unable to secure stable housing on their own

Focus Groups in Study

- **Shelter for Domestic Abuse Victims**

- Shelter for domestic abuse victims refers to short-term, safe housing provided to individuals who are escaping situations of domestic violence or abuse. These shelters offer a secure, confidential environment where victims can stay while they work on escaping the cycle of abuse and begin rebuilding their lives. Temporary shelters provide immediate safety, support and resources to help individuals navigate the next steps toward long-term recovery and stability

- **Shelter for At-Risk Children**

- Shelter for children at risk refers to short-term housing or care provided to children who are in immediate danger or facing circumstances that put their safety, well-being, or development at risk. These children may have experienced abuse, neglect, abandonment, or other harmful situations. Temporary shelters serve as a safe haven where children can be protected while authorities, social workers, or organizations work to address their needs and find more permanent solutions, such as family reunification, foster care, or adoption

Overlap of Special Housing Needs Between Different Categories

Note: Group Homes may be possible with SUP in R1 on large lots over 3/4 of an acre

	Shelter for Domestic Abuse Victims	Veteran's Housing	Transition Housing for Individuals with Developmental Disabilities	Temporary Emergency Family Housing	Temporary Shelter for At-Risk Children
Group Home Possible	Yes	Yes	Yes	Yes	Yes
Subject to HUD	Yes	Yes	Yes	Yes	Yes
Cruently allowed in Residential	No	No	No	No	No
Town Code Allows Special Use Permit to Allow in Residential	No	No	No	No	No
Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA)	Yes	Yes	Yes	Yes	Yes
Security Concerns	Yes	No	Maybe	Yes	Yes
Local codes and inspections needed	Yes	Yes	Yes	Yes	Yes
Parking Requirements	Yes	Yes	Yes	Yes	Yes
Distance form sensitive areas needed	Yes	No	No	Maybe	Yes
Controlled access points required	Yes	Maybe	Yes	Yes	Yes
Cerifications from Government Groups	Yes	Yes	Yes	Yes	Yes
Emergency Vehicle Access	Yes	Yes	Yes	Yes	Yes
Room and Age-Appropriate Design and Layout	Yes	Yes	Yes	Yes	Yes

Proposed Zoning Text Changes

- All DSCH in residential zoning districts shall be restricted to not more eight (8) individuals along with one or more staff members. Congregate Living with one or more staff members may be approved in R-2 and R-3 residential areas via SUP on a case-by-case basis as state and local laws and regulations allow. Case-by-case evaluation includes type/size of home, acceptable number of residents, location, zoning district and other mitigating factors considered in the SUP application. . Congregate Living with one or more staff members may be approved in R-2 and R-3 residential areas via SUP on a case-by-case basis as state and local laws and regulations allow. Case-by-case evaluation includes type/size of home, acceptable number of residents, location, zoning district and other mitigating factors considered in the SUP application
- All DSCH facilities shall be licensed by the appropriate state agency(s). The Virginia Department of Social Services (VDSS) oversees the licensing of shelters that provide services to adults and families, including domestic violence shelters

Proposed Zoning Text Changes

- DSCH operations in residential districts shall be restricted to structures that are permitted by right in the respective residential district in question, or any facilities which are currently in existence as a nonconforming use. Any newly constructed DSCH facilities shall comply with all of the standards that exists in the residential zoning district that the structure will be located

Proposed Zoning Text Changes

- All SPH in residential zoning districts shall be required to submit a management plan addressing staffing, resident services, security, and community engagement. This should include; (1) The parcel and all buildings and structures thereon, both permanent and temporary; (2) Access control points and any fencing and screening for the parcel and all buildings and structures; (3) The use and occupancy of each room or space inside a building or structure, including accommodations for sleeping, accommodations for sanitary health and hygiene (e.g. sinks, toilets, latrines, showers, or washing stations); and accommodations for food preparation; (4) The size of emergency ingress points, egress points, and evacuation routes; (5) Smoke alarms, carbon monoxide alarms, and fire extinguishers; and (6) An operations information statement that shall include, at minimum, the following: a. The name of the operating entity, its articles of incorporation or similar organizational document and its bylaws, if any, and a statement of the operating entity's experience providing emergency housing, transitional housing, permanent supportive housing, or social service delivery; b. Anticipated dates, days, and hours of operation; c. Maximum intended number of overnight occupants, which shall at all times be in compliance with all applicable provisions of building, fire, health, and zoning codes; d. List of requirements for admission of occupants; e. Description of each staff position, qualifications necessary for each position, and a statement of the anticipated number of staff serving in such positions; f. Statement of intention, or not, to provide occupants meals, minor medical care, job counseling, and services to help occupants transition to more permanent housing, and if so, whether provision of each will be on or offsite, E. Pet care plan as required. After SUP approval, any changes to the management plan must be submitted to Front Royal Planning and Zoning for impact assessment

Proposed Zoning Text Changes

- The SUP applicant must submit a plat of the property showing the existing conditions and location of the proposed parking and any anticipated parking waivers.
- DSCH use of the property shall not change the general exterior appearance of the dwelling unit, or change the character of the neighborhood.
- In assessing the request for a special use permit to operate in residential zoning districts, the Council shall consider and may require the availability of safe on-site drop-off and pickup areas, outdoor play areas, fenced play areas and pet accommodations. The Council shall also consider the nature and suitability of the proposed facility, the size, location and characteristics of the grounds or yard, the safety of the occupants at the facility, parking, the effects on nearby property and residents and such other factors which the Council deems pertinent in assessing the suitability of any proposed DSCH operation in a residential zoning district

Zoning Areas Affected by Change

- Permit in all Residential zoning with Special Use Permit
 - R1-A zoning code may need a SUP section added
- PND areas are by-right
 - Pre-planned areas

WORK SESSION – ITEM 3

3. Article 11 – Definitions (Draft Zoning Ordinance)

ARTICLE 11 – DEFINITIONS (DRAFT ZONING ORDINANCE)

ARTICLE 11 - DEFINITIONS (DRAFT ZONING ORDINANCE)

ARTICLE 11 - DEFINITIONS

Definition Origin Key: (to be deleted in final)

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

ACCESS - A public or private right-of-way providing the ability to enter, approach or pass to and from an area to another area. A way or means of approach to provide vehicle or pedestrian physical entrance to a property.

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

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

ACCESSORY USE - A use of a building, lot or portion thereof which is customarily incidental and subordinate to the principal permitted use of the main building or lot. The accessory building complies with the minimum setback and yard area requirements that are required for main buildings within the applicable zoning district, no more than one accessory dwelling is located on the property, and the accessory dwelling unit does not utilize more than 600 square feet. Urban agriculture is considered an accessory use when the requirements of Section 175-110.5 are complied with.

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

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

AFFORDABLE HOUSE - Housing, as a guideline, that is affordable to households with incomes at or below the area median income, provided that the occupant pays no more than thirty percent of occupant's gross income for gross housing costs, including utilities. For the purpose of administering affordable dwelling unit ordinances authorized by this chapter, local governments may establish individual definitions of affordable housing and affordable dwelling units including determination of the appropriate percent of area median income and percent of gross income.

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

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

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

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

ALL-WEATHER SURFACE: A surface constructed and maintained to support heavy or vehicular traffic under all normal weather conditions. It may include asphalt, concrete, gravel, or other materials approved designed to prevent excessive rutting, erosion, or mud

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

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

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

SIGN - ANIMATED: a sign or part of a sign that is designed to rotate, move or appear to rotate or move, but specifically excluding the hands of a clock. Such a sign is sometimes referred to as a "moving sign."

Appurtenant or accessory structure - A non-residential structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures are not to exceed 600 square feet.
ARCHITECT, REGISTERED - A licensed professional architect registered in the Commonwealth of Virginia by the Department of Professional and Occupational Registration as an architect.
ARTISTIC MURAL - A work of art (as a painting) applied to and made integral with a building wall that is prepared by a skilled artist and shows imaginative skill in arrangement or execution.
ASSISTED LIVING FACILITY - A residential facility for two or more persons that provides nursing assistance and/or support services for residency of elderly and/or disabled persons, where residents share common meals.
ATTIC - The space between the ceiling beams of the top habitable story and the roof rafters. An "attic" shall be considered a half-story and shall be included in the calculation of building height.
AUTOMOBILE GRAVEYARD - See "Junkyard."
AUTOMOBILE PARKING LOT, COMMERCIAL - A lot or portion thereof, other than an automobile sales lot, held out or used for the storage or parking of six (6) or more motor vehicles for a consideration, where service or repair facilities are not permitted. Such parking lot shall not be considered an accessory use; nor shall it be used for the storage of dismantled or wrecked vehicles, parts thereof or junk.
AUTOMOBILE SALES LOT - A lot arranged, designed or used for the storage and display for sale of any new or used motor vehicles capable of independent operation or any type of travel trailer and recreational vehicle, provided that the travel trailer and recreation vehicle is unoccupied, and where repair work is done wholly enclosed within a building.
AUTOMOBILE SERVICE STATION - A place of business with pumps and underground storage tanks, having as its purpose the servicing, at retail, of motor vehicles with fuels and lubricants, and including minor repairs and inspections incidental thereto, but not including a general repair shop, paint or body shop, machine shop, vulcanizing shop or any operation requiring the removal or installation of a radiator, engine, cylinder head, crankcase, transmission, differential, fenders, doors, bumpers, grills, glass or other body parts or anybody repairing or painting. All repairs shall be conducted within a fully enclosed building.
AUTOMOBILE WRECKING YARD - An area where destroyed, abandoned and obsolete automobiles are disassembled and where parts of said disassembled automobiles are generally sold and where the remaining automobile bodies and their components are temporarily stored until they can be removed or reduced to scrap metal.
SIGN:AWNING - A sign placed, painted or printed directly on the surface of an awning.

SIGN: AWNING - means a sign placed directly on the surface of an awning.
BABYSITTING - An activity occurring in any private family home in which nine (9) children or fewer, including children residing on the premises and/or related by blood or marriage to the person who maintains the home, are received for care, protection and guidance during any part of the twenty-four-hour day. A Town business license is required for the care of any children not related by blood or marriage when such service is provided in a private family home during any eleven (11) days or more, either consecutive or nonconsecutive days, in any given month.
Banner - means a temporary sign of flexible material affixed to a framework or flat surface.
Base flood - The flood having a one percent chance of being equaled or exceeded in any given year.
Base flood elevation - The water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. The water surface elevation of the base flood in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this ordinance, the base flood is the 1% annual chance flood.
BASEMENT - Any area of the building having its floor sub-grade (below ground level) on all sides.
Basement - Any area of the building having its floor sub-grade (below ground level) on all sides.
BAY WINDOW - A convex window frame and pane(s) that projects outward from a house or other structure, which may project not more than three feet (3') into any required yard area.
BED AND BREAKFAST HOME - A single-family, owner-occupied dwelling with ten (10) or fewer guest rooms in which overnight accommodations and breakfast are provided for transient guests, none of whom remain any more than fourteen (14) consecutive nights. A "bed-and breakfast home" shall also be known as a "Tourist Home".
SIGN: BILLBOARD - See "off-premise sign."
BLOCK - The property bound on all sides by one (1) side of a street or a combination of a street line, railroad right-of-way, unsubdivided land, river, live stream, stream bed or any other barrier to the continuity of development.
BOARD OF ZONING APPEALS -The Board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.
BOARDINGHOUSE - See "Lodging House".

BREAKAWAY WALL - A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
BREAKPOINT TECHNOLOGY - Means the particular design of a monopole wireless telecommunication tower, certified by an engineer licensed in the Commonwealth of Virginia, that devises a specified point of the structure, referred to as the breakpoint, to have stress concentrated so that the breakpoint is at least five percent (5%) more susceptible to failure than any other point along the structure, so that in the event of a structural failure, the failure will occur at the breakpoint rather than at the base plate, anchor bolts, or any other point on the structure.
BUILDING – Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods or materials of any kind.
BUILDING COVERAGE, LOT COVERAGE – The ratio or percentage of the horizontal area, measured from the exterior walls of the ground floor, of all principal and accessory buildings on a lot to the total area lot
<i>Building frontage</i> - means the length of the main wall of a building which physically encloses usable interior space and which is the architecturally designed wall that contains the main entrance for use by the general public. Said frontage shall be measured at a height of ten (10) feet above grade.
BUILDING INSPECTOR - An appointed official of the Town of Front Royal, Virginia who is responsible for certifying building inspections.
BUILDING, MAIN - A building in which the principal use of the lot is conducted.
SIGN: BUSINESS - A sign which directs attention to a product, service or commercial activity available on the premises.
SIGN: CANOPY - A sign attached or otherwise affixed to a canopy.
CARETAKER QUARTERS - A dwelling unit located within a building that is used by a business enterprise, and is occupied by the owner or an employee of the business. Only one (1) caretaker quarters shall be permitted per building, and shall not utilize more than twenty percent (20%) of the ground floor area of the building.
CATERING SERVICES - An establishment that prepares meals or food on premise with pickup/delivery for consumption off-site.
CELLAR - A space with less than one-half of its floor-to ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than 6.5 feet. Such a portion of a building shall not be used for habitation. All portions of the total exterior wall area exposed shall be counted for the purpose of height requirements.

CEMETERY - A place for burial of the human dead.
CERTIFICATE OF APPROPRIATENESS (C of A) - The approval statement signed by the Secretary of the Board of Architectural Review (BAR) and the Zoning Administrator that certifies approval by the BAR of the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, demolition or razing of all or a part of any building within an historic district overlay area, subject to the issuance of all other permits needed for the matter sought to be accomplished.
SIGN: CHALK-BOARD - A single-faced, framed slate or chalk-board that can be written on with chalk or similar markers.
CHANGE OF USE - Any change from one business activity to another, except a name change for a specific established business activity.
SIGN: CHANGEABLE COPY - A sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.
SIGN: CHANGEABLE COPY - A sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.
CHURCH - Buildings or structures primarily intended for organized religious services and associated accessory uses.
CHURCHYARD - an area of land not exceeding two (2) acres, surrounding and located on the same lot or parcel as a church, which may be used as a cemetery.
CLINIC - An establishment where patients are admitted for examination and treatment on an outpatient basis by physicians, dentists, or other medical personnel, psychologists or social workers and where such examination and treatment generally require a stay of less than 24 hours.
Coastal A Zone - Flood hazard areas that have been delineated as subject to wave heights between 1.5 feet and 3 feet.
COMMISSION, THE - See "Planning Commission".
COMMON OPEN SPACE - An open tract or parcel of land owned in undivided interest, not devoted to structures but directly related and adjunct to a development, as herein provided.
COMMUNITY CENTER (public) - A structure designed and constructed for public use which includes a community meeting room, athletic or exercise facilities or similar uses.

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

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

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

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

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

CONVALESCENT HOME - See "Nursing Home".

COVERAGE - See "Building Coverage".

DAYCARE - The provision of care, protection and guidance to a group of children separated from their parents or guardian or other persons not able to care for themselves during a part of the day only.

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

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

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

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

SIGN: DIRECTORY - A sign on which the names and locations of occupants or the use of a building or group of buildings is given.
DISTRICT -A portion of the Town of Front Royal within which, on a uniform basis, only certain uses of land and buildings are permitted as set forth in this chapter and within which certain lot areas and other uniform requirements are established.
DOMESTIC PRODUCTS - Processed, cooked, dried or preserved foodstuffs and other agricultural products meant for human consumption, to include, but not limited to, jellies, pickles, herbs, smoked meats, baked goods, candies, canned foods, and other prepared edibles.
DRIVE-IN EATING ESTABLISHMENT - Any place or premises used for sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages in motor vehicles on the premises; a refreshment stand; a fast-food or primarily a carry-out establishment.
DRIVEWAY - A space or area providing access specifically designated and reserved on a lot for the movement of vehicles from one lot to another or from a lot to a public street. "Driveways" for commercial or industrial properties shall be hard surfaced.
DUPLEX - A two-family residential structure, with each unit having its own exterior entrance; the residential units may be arranged one above the other, or be semidetached.
DWELLING - A building or portion thereof which is used or intended to be used exclusively for residential purposes and contains one (1) or more dwelling units.
DWELLING UNITS - One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities and containing not less than six hundred (600) square feet of residential floor area. Such units shall meet the requirements of the Building Code of the Town of Front Royal.
DWELLING, ATTACHED -A dwelling having any portion of each of two (2) walls in common with adjoining dwellings.
DWELLING, DETACHED - A dwelling which is entirely freestanding on a lot.
DWELLING, MULTIFAMILY - A building containing three or more dwelling units.
DWELLING, SEMIDETACHED - One (1) of two (2) buildings, arranged or designed as dwellings located on abutting walls without openings, and with each building having a separate lot with minimum dimensions required by district regulations.

DWELLING, SINGLE-FAMILY - A single residential dwelling unit, other than a mobile home or manufactured home, designed for occupancy by one (1) family, and not located on the same lot as another dwelling unit.
DWELLING, TEMPORARY - A residence designed as a portable dwelling but not necessarily attached to a permanent foundation.
DWELLING, TWO-FAMILY - A residential building containing not more than two (2) dwelling units, arranged one above the other or side by side, designed for occupancy by not more than two (2) families.
EASEMENT - A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation or another person or entity.
ELEVATED BUILDING - A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).
Elevated building - A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).
Encroachment - The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
ENCROACHMENT - The advance or infringement of uses, plant growth, fills, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
ENGINEER, REGISTERED - A licensed professional engineer registered in the Commonwealth of Virginia by the Department of Professional and Occupational Registration as an engmeer.
Existing construction - For the purposes of the insurance program, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975 for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures" and "pre-FIRM."
EXTERIOR FEATURES (ARCHITECTURAL APPEARANCE) - The architectural style, general design and general arrangement of the exterior of a building or other structure, including the color, the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, other appurtenant fixtures and other natural features, such as trees and shrubbery, that are subject to the public view from a public street, public way or other public places.

FALL ZONE - Means an area around the base of a wireless telecommunication tower required to be kept clear of buildings, other than those accessory to the wireless telecommunication tower, for the purpose of containing debris in the event of a tower structural failure. The fall zone is measured by a circular radius around the wireless telecommunication tower that equals the structure's height.
FAMILY - An individual or group of individuals related by blood, marriage, adoption or guardianship. For the purpose of this chapter, the definition of "family" shall include four (4) or fewer unrelated persons living together as a single housekeeping unit.
FARM PRODUCTS -Ice, wood, charcoal, meats, milk, butter, eggs, poultry, game, vegetables, fruits or other family supplies of a perishable nature or farm products grown or produced by them and not purchased by them for sale.
FARMERS' MARKET - A collection of two (2) or more vendors, selling farm or domestic products, garden produce, or nursery products, ornamental or otherwise, which have been grown or produced by the vendor offering the same for sale, in an open-air setting or with temporary or partially enclosed structures.
FAST-FOOD ESTABLISHMENT - See "Drive-in Eating Establishment."
SIGN: FEATHER - A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.
FENCE - An artificially constructed barrier, made of any material, including but not limited to posts and wire, boards, or masonry intended to prevent escape or intrusion to make a boundary, or serve as screenmg.
<i>Flag</i> means a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.
SIGN: FLAG - A flag used as a sign
SIGN: FLAG, NON-TRADITIONAL - A flag sign other than a traditional flag sign. A "feather flag" is an example of a non-traditional flag sign.
SIGN: FLAG, TRADITIONAL -A flag sign, excluding a sign on a "feather flag", that does not exceed fifteen (15) square feet in area, and no one side exceeding a length of five feet (5').
SIGN: FLASHING - A sign that includes lights that flash, blink, or turn on and off intermittently.

FLEA MARKET - An occasional or periodic assembly of vendors, held in the open air or within structures, which display and offer goods for sale to the public.

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

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

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

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

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

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

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

FLOOR AREA OF A BUILDING OR BUILDINGS: GROSS - The sum of the gross horizontal areas of all enclosed floors of a building, including basements, mezzanines, penthouses, corridors, and lobbies from exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding any space with a floor-to- height of less than 6 feet 6 inches.

FLOOR AREA OF A BUILDING OR BUILDINGS: NET – The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment room, inter vehicular parking or loading; and all floors below the first or ground floor, except when these are used or intended to be used for human habitation or service to the public.

Freeboard - A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.
SIGN: FREESTANDING - Any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.
FRONTAGE - See "Lot Width."
Functionally dependent use - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
FUNERAL PARLOR, HOME OR MORTUARY - An establishment used for human funeral services, which shall include facilities on the premises for embalming and may or may not include facilities for the performance of autopsies, other surgical procedures or cremation.
GARAGE, COMMUNAL - A garage used for the storage of vehicles for occupants of lots in the same adjacent block or blocks.
GARAGE, PRIVATE - A vehicle storage structure used for the storage of vehicles by the occupants of a lot on which such building is located.
GARAGE, PUBLIC - A vehicle storage structure, portion of a principal building or principal buildings used only for the storage of four (4) or more vehicles by others than only those occupants of a lot on which such building is located.
GAS STATION AND GASOLINE SALES-See "Automobile Service Station."
General Repairs - includes patching, restoration, or replacement of damaged materials, elements, equipment, or fixtures. The work shall not make the building less conforming than it was before the repair was undertaken. Repairs shall be done in a manner that maintains the level of fire protection, means of egress, and accessibility.
GOVERNING BODY - The Town Council of Front Royal, Virginia.
GOVERNMENT OFFICES AND BUILDINGS - Offices and structures used primarily for conducting the affairs of government. This definition shall include school maintenance shops and work areas.

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

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

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

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

Height means the maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: (1) Existing grade prior to construction; or (2) The newly established grade after construction, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

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

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

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

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

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

Hospital - An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including as an integral part of the institution related facilities, such as laboratories, training facilities, medical offices and staff residents.

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

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

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

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

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

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

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

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

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

LAUNDROMAT - A building or part thereof where clothes or other household articles are washed or dry cleaned in self-service machines with a capacity for washing not exceeding twenty-five (25) pounds dry weight and where such washed clothes and articles may also be dried or ironed, and no delivery service is provided in connection therewith.

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

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

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

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

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

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

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

LOT - A parcel of land occupied or to be occupied by a building and its **auxiliary** or accessory buildings or by a use and accessory uses, together with such open spaces as are required under the provisions of this chapter, having at least the minimum area required by this chapter for a lot in the zone in which such lot is situated and having its principal frontage on a public or private street approved by the Town.

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

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

LOT INTERIOR - Any lot other than a corner lot.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MIXED USE DEVELOPMENT: Regulations that permit a combination of different uses within a single development or zone
MOBILE HOME - A residential dwelling built in a factory before the federal Manufactured Home Construction and Safety Standards went into effect on June 15, 1976. New or replacement mobile homes are not permitted within the Town.
MODULAR UNIT - A factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees and other prefabricated supplements incorporated into a structure at the site. Modular units are a permitted construction type when designed to comply with Virginia Uniform Statewide Building Code, and shall not be considered manufactured homes.
<i>Monument sign</i> means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.
MOTEL - An establishment consisting of a group of living or sleeping accommodations with bathroom and closet space designed for use by transient automobile tourists; less than fifty percent (50%) of the living and sleeping accommodations are occupied or designed for occupancy by persons other than transient automobile tourists.
MULTIPLEX STRUCTURE - This term shall mean a residential dwelling unit designed with not more than thirty (30) separate dwelling units for a maximum occupancy by thirty (30) families living independently of each other.
NEIGHBORHOOD RECREATION USE - This term shall include basketball courts, tennis courts, playgrounds, tot lots, picnic areas, and the like.
NEIGHBORHOOD RESTAURANTS - A restaurant of not more than 20 seats, nor five employees, open for business not later than 10 p.m.
NEIGHBORHOOD-ORIENTED COMMERCIAL - This term shall include neighborhood oriented retail businesses with not more than 15,000 square feet of gross floor area. The term shall include convenience stores, bookstores, dry cleaners, ice cream stores, barber and beauty shops, wearing apparel stores, bakeries, drugstores, gift shops, hardware stores, or other use found to be similar to one or more uses listed herein, but shall not include automobiles sales operations.
NONTIDAL WETLANDS - Those wetlands other than tidal wetlands that are inundated or saturated by surface or ground water at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to Section 404 of the Clean Water Act as amended.

SIGN: NEON - A sign containing exposed tubes filled with light-emitting gas.
NEW CONSTRUCTION, Historic District Overlay - Any construction within an historic district overlay area that is independent and exclusive of an existing building or structure or part thereof.
New construction, Floodplain Zoning - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after July 15, 1988, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
NONCONFORMING ACTIVITY (USE): A use or activity that was lawful prior to the adoption, revision, or amendment of the zoning ordinance but fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district..
NONCONFORMING LOT – A lot, the area, dimensions or location of which was lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.
<i>Nonconforming sign.</i> Any sign which was lawfully erected in compliance with applicable regulations of the City/County/Town and maintained prior to the effective date of this chapter of the zoning ordinance and which fails to conform to current standards and restrictions of the zoning ordinance.
NONCONFORMING LOT – A lot, the area, dimensions or location of which was lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.
NONCONTRIBUTING PROPERTIES - Properties with little historic or architectural value and with little or no contribution to the historic character of the district because of their recent age or alteration in such a way as to destroy their architectural integrity.
NURSING HOME -Also known as "extended-care home," "rest home" or "convalescent home." A nursing facility is any place containing beds for two (2) or more patients, established to render domiciliary and/or nursing care for chronic or convalescent patients and which is properly licensed by the state.
Official map means a map of legally established and proposed public streets, waterways, and public areas adopted by a locality in accordance with the provisions of Division 2.2 hereof and§ 15.2-2233 et seq. of Virginia's State Code.

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

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

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

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

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

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

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

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

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

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

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

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

PLANNED NEIGHBORHOOD DEVELOPMENT (PND) - Planned Neighborhood Development (PND) is a neighborhood development on large tracts of land (5 acres or more) to be planned, developed, operated, and maintained as a single entity. PNDs are characterized by unified site design for a variety of housing types and densities, clustering of buildings, common open space, and a mix of building types and land uses which may include appropriate commercial, public, quasi-public uses primarily for the benefit of the residential development. Density calculation are performed for the entire development rather than on an individual basis.

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

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

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

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

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

PORTABLE STORAGE CONTAINERS - A large portable container, other than trailers and semitrailers, and which are typically referred to as "PODS" or cargo containers that are transported to a desired location for use as storage of products, goods, merchandise, and/or materials. Portable storage containers are subject to the provisions of Division 9.8.
POST-FIRM STRUCTURES - A structure for which construction or substantial improvement occurred after July 15, 1988.
PRE-FIRM STRUCTURES - A structure for which construction or substantial improvement occurred on or before July 15, 1988.
Preliminary subdivision plat means the proposed schematic representation of development or subdivision that establishes how the provisions of §§ 15.2-2241 and 15.2-2242, and other applicable statutes will be achieved.
Primary frontal dune - a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms.
PRINCIPAL PERMITTED USE – A specific use, or uses, of a lot that are permitted on a particular lot, based on the regulations of the underlying zoning district, and the main use, or uses, of the property, as distinguished from an auxiliary or accessory use.
PROFESSIONAL OFFICES - A structure designed for use by a person, or persons, in offering a service which requires specialized knowledge gained by intensive academic preparation such as medicine, law, engineering, dentistry, and other like endeavors.
Projecting sign means any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted.
Public area means any public place, public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water.
Public Art means items expressing creative skill or imagination in a visual form, such as painting or sculpture, which are intended to beautify or provide aesthetic influences to public areas or areas which are visible from the public realm, and is not advertising a business or product, or logo.
PUBLIC EVENT - Any temporary activity or entertainment festival that accommodates the assembly of groups or individuals on public property after all required authorizations are obtained from the local, state and/or federal government(s).

PUBLIC FACILITY - Any area, building or structure used or controlled for government purposes, that is owned, held, or operated by any department, branch or unit of the federal government, the Commonwealth of Virginia or one or more of its local governments, political subdivisions or municipal corporations.
PUBLIC PROPERTY - Property that is owned or operated by a local, state or federal government.
PUBLIC UTILITY - Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing, under federal, state or municipal regulations, to the public electricity, gas, steam, communications, telegraph, transportation, water or such other services as may be provided. Where public utilities are permitted under this Chapter, poles, lines, water towers, reservoirs, water and sewer treatment facilities, booster and relay stations, distribution transformers, pipes, meters, and other facilities necessary for the provision and maintenance of public utilities shall be permitted.
RECONSTRUCTION - Any or all work needed to remake or rebuild all or a part of any building to a sound condition but not necessarily of original materials.
RECREATION FACILITY (commercial) - A sports or activity facility which is open to the general public for a fee. These shall include but are not limited to the following: indoor skating rink, bowling alley, arcade, swimming pool, hard and soft courts, health spa, gymnasium, physical fitness center, dance studios or similar uses.
RECREATION FACILITY (public) - Facilities and uses sponsored by the Warren County Parks and Recreation Department and/or the Warren County School Administration and/or other public entities.
RECREATIONAL VEHICLE - also known as a "MOTOR HOME" and "TRAVEL TRAILER" every vehicular-type unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use, that either has its own motive power or is mounted in, or is towed by another vehicle. The basic entities are: travel, fifth wheel trailer, camping trailer and motor home. The parking and storing of such vehicles is guided by Section 8.2.1. Such term refers also to travel trailers.
RE-FACE - The act of creating a new sign message by replacing or refurbishing the non-structural components or surface of an existing lawful sign, without creating a new nonconformity to the requirements of this chapter.
REPAIRS - Any work or all work involving the replacement of existing work with equivalent material for the purpose of maintenance but not including any addition, change or modification in construction.

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

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

REST HOME - See "Nursing Home."

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

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

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

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

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

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

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

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

ROOMING HOUSE - See "Lodging House."

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

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

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

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

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

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

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

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

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

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

Sign structure means any structure bearing a sign face.

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

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

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

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

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

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

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

SITE PLAN: The development plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulations; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding development; and any other information that reasonably may be required in order for an informed decision to be made by the approving authority.

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

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

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

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

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

STOOP - A porch without a roof, cover or overhang, which may project into a front or rear yard for a distance not exceeding ten (10) feet and into a side yard for a distance not exceeding five (5) feet.
STORY - That portion of a building other than a cellar or mezzanine, included between the surface of any floor to the beams of the floor next above it or, if there is not a floor above it, then the space between the floor and the top of the roof beams; a mezzanine shall be deemed a full story when it covers more than thirty-three (33%) of the area of the story beneath the mezzanine or if the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more.
STORY, HALF - A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.
Street means highway, street, avenue, boulevard, road, lane, alley, or any public way.
STRUCTURAL ALTERATION - Any change in the supporting members of a building or structure, such as bearing walls, partitions, columns, beams or girders, or any change in the width or number of exits or any substantial change in the roof.
STRUCTURE - Anything man-made, including but not limited to main buildings, outbuildings, fences, walls, lampposts, light fixtures, signs, signposts, billboards and paving.
Structure, Floodplain Zoning - for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
STRUCTURE, OUTDOOR ADVERTISING - Any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, including also outdoor advertising statuary.
STRUCTURE, PRINCIPAL - A structure in which the principal or primary use of the property is carried out.
SUBDIVISION - The division of a parcel of land into two (2) or more lots or parcels for the purpose of transfer of ownership or building development. The term includes resubdivision and, when appropriate to the context of the Front Royal Subdivision Ordinance, shall relate to the process of subdividing or to the land subdivided.

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

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

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

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

Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

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

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

ELECTRONIC INFORMATION OPERATIONS AND PROVIDERS - Businesses that assist other businesses to better manage their paper documents by putting them in an electronic database that can easily be viewed by a larger group of people.

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

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

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

Content Developers - Businesses that design and build computer systems.

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

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

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

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

TECHNOLOGY DISTRICT - A technology district (also known as a tech district, innovation district, or technology hub) is a designated urban area where technology-focused companies, startups, research institutions, and innovation-related services are clustered together to promote economic development, collaboration, and innovation.

TOBACCO, SMOKE, OR VAPE SHOP - A business involving the sale of tobacco products, nicotine vapor products, or alternative nicotine products, as those terms are defined in the Code of Virginia § 18.2-371.2, or hemp products intended for smoking, as such term defined in Code of Virginia § 3.2-4112, or any kratom products as regulated by Code of Virginia § 59.1-200, or paraphernalia, and where any combination of any such products represent twenty-five (25) percent or more of the store's total inventory or fifteen (15) percent or more of the store's total display area.

"Paraphernalia" refers to any objects, devices, or equipment that are primarily used to facilitate or enhance the act of smoking or vaping. This includes but not limited to; cigarette rolling papers, Cigarette filters, Pipes, Bongs, Hookahs, Vape Pens and E-Cigarettes, Grinders, Rolling Machines, Screens and Dab Rigs.

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

TEMPORARY OFFICE - A workspace set up for short-term use, often rented by the hour, day, week, or month, typically by individuals or businesses that need a flexible working location without a long-term lease.

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

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

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

TOURIST HOME - See "Bed and Breakfast Home."

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

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

TRAVEL TRAILER - Any recreational vehicle.

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

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

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

Violation - the failure of a structure or other development to be fully compliant with the community's certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.
floodplain management regulations. A structure or other development without the elevation

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

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

Window sign means any sign visible outside the window and attached to or within 18 inches in front of or behind the surface of a window or door.

WIRELESS TELEPHONE TELECOMMUNICATION TOWERS - Facilities for the provision of personal wireless services, as defined by 47 U.S.C. Section 332 (Section 704 of the Telecommunications Act of 1996), including those Federal Communications Commission licensed commercial wireless telecommunications services such as cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), and unlicensed wireless services and common carrier wireless exchange access services; also referred to generally as "tower(s)" under Division 9 of this Chapter.

Working waterfront development area means an area containing one or more working waterfronts having economic, cultural, or historic public value of such significance as to warrant development and reparation.
Working waterfront means an area or structure on, over, or adjacent to navigable waters that provides access to the water and is used for water-dependent commercial, industrial, or governmental activities, including commercial and recreational fishing; tourism; aquaculture; boat and ship building, repair, and services; seafood processing and sales; transportation; shipping; marine construction; and military activities.
YARD - An open space of a generally uniform width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is occupied and unobstructed from the ground upward except as otherwise provided herein.
YARD, FRONT-A yard extending across the full width of the lot and lying between the adjacent street right-of-way line and the building setback line.
YARD, REAR - A yard extending across the full width of the lot and lying between the rear property line of the lot and a line drawn generally parallel thereto, at such distance as specified in this chapter.
YARD, SIDE - A yard between the side lot line and a line drawn generally parallel thereto, at such distance as may be specified herein for any district, and extending from the front yard line to the rear yard line.
ZONING ADMINISTRATOR- See "Administrator."
ZONING MAP - The Official Zoning Map of the Town of Front Royal, Virginia, and all amendments thereto.
ZONING PERMIT - A permit issued by the Zoning Administrator to the applicant before the applicant may proceed with any work affected by any provision of this chapter or begin any uses of land and/or structures as permitted by this chapter.