

PLANNING COMMISSION WORK SESSION
Wednesday, October 1, 2025 @ 6 PM
Town Hall – 2nd Floor, East Conference Room

AGENDA

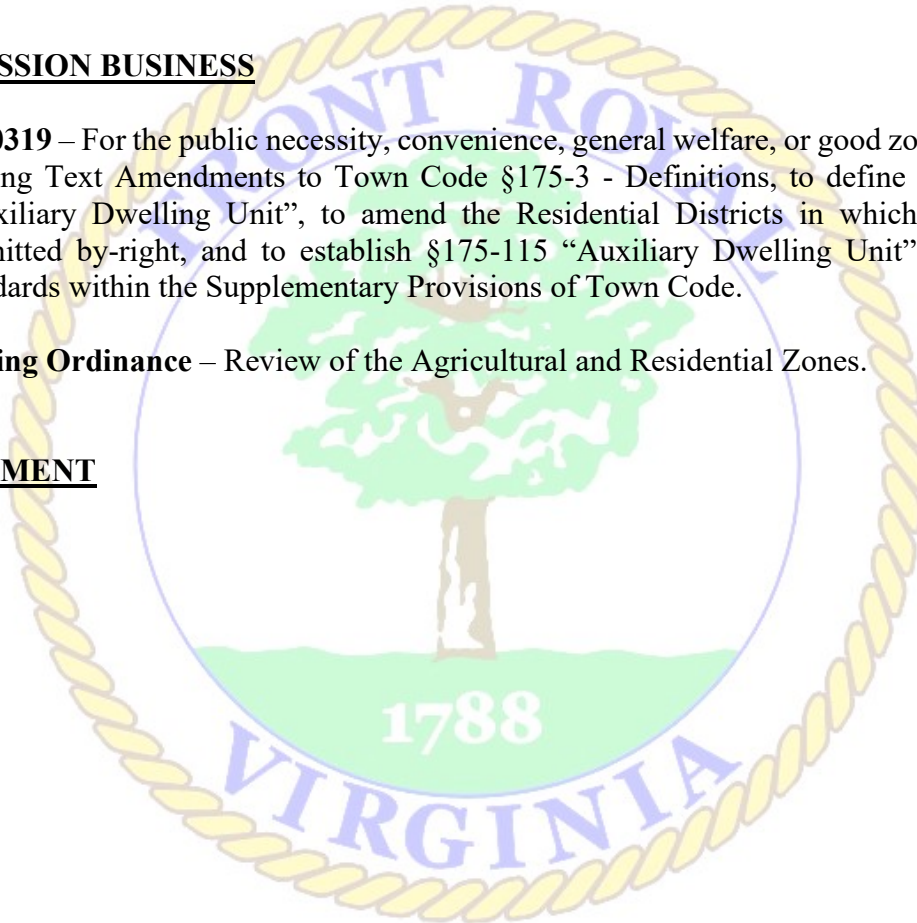
CALL TO ORDER

ROLL CALL

WORK SESSION BUSINESS

1. **2500319** – For the public necessity, convenience, general welfare, or good zoning practice, Zoning Text Amendments to Town Code §175-3 - Definitions, to define the use of an “Auxiliary Dwelling Unit”, to amend the Residential Districts in which it would be permitted by-right, and to establish §175-115 “Auxiliary Dwelling Unit” performance standards within the Supplementary Provisions of Town Code.
2. **Zoning Ordinance** – Review of the Agricultural and Residential Zones.

ADJOURNMENT



2500319 – FOR THE PUBLIC NECESSITY, CONVENIENCE, GENERAL WELFARE, OR GOOD ZONING PRACTICE, ZONING TEXT AMENDMENTS TO TOWN CODE §175-3 - DEFINITIONS, TO DEFINE THE USE OF AN “AUXILIARY DWELLING UNIT”, TO AMEND THE RESIDENTIAL DISTRICTS IN WHICH IT WOULD BE PERMITTED BY-RIGHT, AND TO ESTABLISH §175-115 “AUXILIARY DWELLING UNIT” PERFORMANCE STANDARDS WITHIN THE SUPPLEMENTARY PROVISIONS OF TOWN CODE.

10/3 Work Session:

At the 9/2 Town Council Work Session Council discussed the text amendment and had concerns about the proposed square footage restrictions. Staff amended the proposed text and recommended that Council send it back to PC due to the substantive nature of the changes.

Here is a link to the meeting videos if you would like additional context, make sure you filter to Town Council.

<https://www.frontroyalva.com/655/Meeting-Videos>

Staff's edits are highlighted in yellow below.

AN ORDINANCE TO AMEND CHAPTER 175 OF THE FRONT ROYAL TOWN CODE BY ADDING THE DEFINITIONS OF AUXILIARY DWELLING UNIT (ADU) AND REVISING THE DEFINITIONS OF ACCESSORY BUILDING/ACCESSORY STRUCTURE, ACCESSORY USE, GARAGE, PRIVATE, GARAGE, PUBLIC, LOT, LOT COVERAGE, AND PRINCIPAL PERMITTED USE CONTAINED IN §175-3; AMEND §175-11, THE STATEMENT OF INTENT (R-1) TO INCLUDE ADU'S; AMEND §175-12(A), §175-18.2(A), §175-20, §175-29(A), AND §175-37.3(A) TO ADD ADU'S AS A BY-RIGHT USE; AND ADD SECTION §175-115 AS PERFORMANCE STANDARDS FOR ADU'S."

175-3 - DEFINITIONS

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

Auxiliary Dwelling Unit (ADU) also known as in-law units, backyard cottage, or granny flat - A secondary, self-contained residential unit located on the same lot as a primary single-family dwelling. It includes independent living facilities such as a kitchen, bathroom, sleeping area, and separate entrance.

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

GARAGE, PUBLIC - ~~An accessory building~~ 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.

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.

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.

STATEMENT OF INTENT (R-1) (175-11)

The R-1 District is composed of quiet, low-density residential areas, plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to promote and encourage a suitable environment for family life where children may or may not be present, to provide areas for suitable expansion of the Town as facilities are provided and to prohibit all commercial activities. Development is, therefore, limited to relatively low concentration, and permitted uses are limited to single-unit dwellings, plus selected additional

uses, such as schools, parks, churches, **Auxiliary Dwelling Units (ADUs)** and certain public facilities that serve the residents of the district. Mobile homes or rooming houses are prohibited.

USES PERMITTED BY RIGHT(R-1) (175-12)

- 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-1 District, the following uses of land and buildings are permitted by-right in the R-1 District:

RESIDENTIAL:

Single-family dwellings, detached.

Auxiliary Dwelling Units (ADUs).

COMMERCIAL:

INDUSTRIAL:

ORGANIZATIONAL:

Churches.

Public libraries.

Schools.

USE REGULATIONS (R-1A) (175-18.2)

- 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.

Auxiliary Dwelling Units (ADUs).

USES PERMITTED BY RIGHT (R-2) (175-20)

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-2 District, the following uses of land and buildings are permitted by-right in the R-2 District:

RESIDENTIAL:

Duplexes.

Single-family dwellings, detached.

Two-family dwellings.

Auxiliary Dwelling Units (ADUs).

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

- 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-3 District, the following uses of land and buildings are permitted by-right in the R-3 District:

RESIDENTIAL:

Duplexes.

Single-family dwellings, detached.

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

Two-family dwellings.

Auxiliary Dwelling Units (ADUs).

PERMITTED USES (PND) (175-37.3)

- A. All planned neighborhood developments shall permit the following residential and Auxiliary uses:

1. Detached single-family dwellings;
2. Two-family dwellings;
3. Multi-family dwellings;
4. Townhouses with a maximum of eight units per structure;
5. Auxiliary Dwelling Units (ADUs)
6. Accessory buildings or uses as defined in Town Code section 175-3;
7. Recreation or park facilities;
8. Retirement living facilities (handicapped accessible)
9. Municipal buildings or uses;
10. 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;
11. Home Occupations as set forth in section 175-108;
12. Public libraries;
13. Schools;
14. Churches;
15. Special childcare services;
16. Open space and conservation areas; and
17. Such other uses as determined similar to one or more enumerated uses by the Zoning Administrator.

175-115 – Auxiliary Dwelling Unit (ADU)

The ADU ordinance permits one Auxiliary dwelling unit in the selected zoning districts of R1, R1A, R2, R3 and PND with residential housing, subject to the following:

- A. The Auxiliary dwelling unit must be located on the same lot as a single-family detached dwelling (existing or proposed) and only one (1) ADU is permitted per residential lot.
- B. The property must be owner occupied.
- C. The internal ADU shall not extend beyond the existing footprint of the primary structure.

~~1. Floor area means the sum of the horizontal areas of enclosed building space on all floors of all buildings on a lot measured from the exterior face of exterior walls and including intervening partitions, halls, lobbies, stairways and elevator shafts. The following shall be excluded from calculation of floor area:~~

- ~~a. Open exterior balconies and other unenclosed spaces.~~
- ~~b. Uncovered terraces, patios, porches, or steps.~~
- ~~c. Garages, carports or other areas, enclosed or unenclosed, used for the parking or circulation of motor vehicles.~~
- ~~d. Areas for housing major mechanical equipment which serves the building as a whole or major portion thereof, but not including utility areas within individual dwelling units.~~
- ~~e. Areas for common special purpose use by occupants of the premises, including laundries, recreation areas, sitting areas and libraries in buildings devoted to dwelling use, and storage areas, and areas devoted exclusively to management and/or maintenance of the premises in buildings devoted to any use, but not including incidental commercial activities in any case.~~

- D. Detached ADUs shall be a minimum of 600 square feet but cannot exceed 1000 square feet or 80% of the gross floor area of the principal dwelling, whichever is less.
- E. The Auxiliary dwelling unit must follow the underlying zoning district requirements (setbacks, lot coverage, appearance, height, etc.). Detached ADUs shall not exceed the maximum lot square foot coverage allowed in the zoning district the ADU is located.

- F. Access to an ADU shall be provided in accordance with requirements of the Department of Fire and Emergency Services.

175-~~114~~ 118—175-122 - (RESERVED)

**ZONING ORDINANCE – REVIEW OF THE AGRICULTURAL AND
RESIDENTIAL ZONES.**

consequence of the proposed rezoning, the requirement for a Phase I environmental site assessment may be waived in writing of such absence of land disturbing activity. An applicant shall disclose and remediate any contamination and other adverse environmental conditions of property revealed by such environmental assessment, prior to the approval of subdivision and development plans.

- After proper public hearing, the Planning Commission shall make its recommendation to the Town Council, who will then act upon the applicant's request. If the Planning Commission makes no recommendation within ninety (90) days from the date of referral, the Council may assume that the Commission concurs with the applicant.

ARTICLE 6 – ZONING DISTRICTS/DISTRICT REGULATIONS

DIVISION 6.1 - AGRICULTURE AND OPEN SPACE PRESERVATION DISTRICT (A-1)

Section 6.1.1 - STATEMENT OF INTENT (A-1) (175-10.2)

The A-1 District is composed of large contiguous parcels of at least ten (10) acres in size used for agricultural pursuits and other uses involving preservation of open spaces, including parks and forested areas. The standards set forth for this district are designed to promote and protect open spaces and agricultural and forested areas. Development is to be discouraged, and the only structures permitted shall be those which are directly related to agriculture and the open space uses provided herein.

Section 6.1.2 - USES PERMITTED BY RIGHT (A-1) (175-10.3)

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 A-1 District, the following uses of land and buildings are permitted by-right in the A-1 District.

RESIDENTIAL:

Manufactured home, subject to the standards of Section 5.1.9C

Single family dwelling, provided that only one single family dwelling may be permitted per parcel.

COMMERCIAL:

INDUSTRIAL:

MISCELLANEOUS:

Accessory uses, structures and buildings.

Agriculture, excluding tenant housing and all slaughtering activities subject to the standards of **Section 6.1.9.A**

Cemeteries

Home Occupations

Open space and Conservation Areas

Public Facilities

Public Parks and Playgrounds

Public Utilities

Signs, as set forth in Section Article 10

Special Childcare Services

Such other uses as determined similar to one or more enumerated uses by the Zoning Administrator

Section 6.1.3 - USES PERMITTED BY SPECIAL USE PERMIT (A-1) (175-10.4

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

RESIDENTIAL:

Tenant housing for an agricultural use

COMMERCIAL:

Commercial outdoor recreation, including athletic and park facilities, amphitheaters, stadiums, botanical gardens, campgrounds and seasonal recreational facilities, subject to the standards of **Section 6.1.9.D**

Flea Markets and Farmer's Market, subject to the standards of **Section 6.1.9.B**

Hospitals

INDUSTRIAL:

ORGANIZATIONAL:

Churches.

Schools.

MISCELLANEOUS:

Wireless telephone communication towers, and similar communication facilities subject to the standards found under **Article 11.**

Any use permitted under **Section 6.1.2**, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of **Section 6.1.8**, subject to the requirements of **Division 5.1**. 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 or more enumerated uses by the Zoning Administrator.

B. In assessing the granting of a Special Use Permit, the Town Council shall consider the effect on surrounding properties, hazards which may result if the proposed use is granted, traffic congestion, noise, noxious fumes or odors, effects on the surrounding landscape and the aesthetics of appearance and any and all other matters deemed relevant to the proposed Special Use Permit and its effects on the community.

Section 6.1.4 - AREA AND FRONTAGE (A-1) (175-10.5)

A. The minimum lot area shall be ten (10) acres.

B. The minimum public street frontage shall be one hundred fifty (150) feet. Upon application for a Special Use Permit to the Front Royal Town Council, the minimum public street frontage may be waived where the lot in question has acceptable private road access to a public street and the Council finds that such access is adequate for the uses employed upon the property and that no hazard or undue traffic congestion will be caused or created as the result.

Section 6.1.5 - SETBACK (A-1) (175-10.6)

Structures shall be located one hundred (100) feet or more from any public street right-of-way which is fifty (50) feet or greater in width or one hundred twenty (120) feet or more from the center of any street right-of-way less fifty (50) feet in width. A minimum width at the setback line shall be two hundred (200) feet.

Section 6.1.6 - YARDS (A-1) (175-10.7)

A. The minimum width of side yards for all structures shall be fifty (50) feet.

B. The minimum width for rear yards for all structures shall be fifty (50) feet.

Section 6.1.7 - LOT COVERAGE (A-1) (175-10.8)

The maximum total coverage for all structures shall not exceed fifteen percent (15%) of the lot area. The total impervious coverage shall be limited to thirty percent (30%) of the lot area.

Section 6.1.8 - HEIGHT (A-1) (175-10.9)

A. Except for uses that are categorized under subsection B, shown below, and uses that obtain approval of an alternative maximum height, as may be authorized in accordance with **Section 6.1.3**, the maximum height in the A-1 District shall be thirty-five (35) feet.

B. Buildings and structures related to agricultural pursuits, including but not limited to, barns and silos, as well as church spires and cupolas may be erected to a height of sixty (60) feet from grade.

Section 6.1.9 - STANDARDS (A-1) (175-10.10)

A. Slaughtering Activities. All slaughtering activities in the A-1 District shall comply with the following standards.

1. Such activity shall not be conducted within one hundred fifty (150) feet of the property boundary.
2. No frequent or repetitive emission of noises or odors of such intensity and character as to interfere with the health, welfare and comfort of the public or neighboring landowners at or beyond the property line shall be permitted.

B. Farmers' Markets and Flea Markets. Where flea markets are permitted by approval of a special use permit, the following standards shall be complied with, in addition to any conditions placed on the special use permit, and Section 98-46 of the Town Code.

1. Adequate water and sanitary facilities shall be provided if found necessary based on the size, frequency and duration of the market.
2. A minimum fifty (50) foot setback shall be maintained from all property lines, excluding structures and uses in existence prior to July 1, 2001.
3. No adverse effect on adjoining properties, including but not limited to excessive or untimely noise or lighting, overflow parking, or visual problems potentially affecting property values or marketability, is found.
4. No manufactured buildings shall be permitted.

5. All tables, facilities and structures shall be maintained in a well-kept and attractive manner.
6. Unless otherwise approved as part of a special use permit, all temporary structures or facilities shall be removed during the days that the market is not in operation.
7. Operation of a Flea Market shall be confined to Friday, Saturday, Sunday, and Holidays, unless other dates are specifically approved by the Town Council in conjunction with the Special Use Permit. The hours of operation shall be posted on the property.
8. If a Flea Market or Farmers' Market elects to close during part of the year, or is required to close during part of the year by a condition of a special use permit, all tables and other temporary fixtures shall be removed within two (2) weeks of such closure. Such fixtures may be stored on the site, provided they are located within a completely enclosed building or otherwise screened from public view.
9. All Flea Markets and Farmers' Markets shall be swept clean, hosed down and/or picked clean daily. No food products or debris shall be permitted to remain upon the site overnight. All food products sold at the market must be displayed under sanitary conditions and sold in compliance with all requirements of the Virginia Department of Health or Virginia Department of Agriculture and Consumer Services.
10. Any expansion, including, but not limited to, new construction, an increase in the days of operation, or other significant changes to the use of the property, shall only be authorized with a special use permit.
11. Landscaping shall be provided where feasible and desirable for purposes of improvement aesthetics, screening, shade and the natural environment.
12. Fencing may be required for purposes of improvement aesthetics, screening or public safety.
13. The sale of live animals is prohibited.
14. The sale of new merchandise or serving of food, other than farm and domestic products, shall only be authorized if the vendor obtains an itinerant merchant or peddler license, in accordance with the Town Code regulations for such uses.
15. Farmers' Markets and Flea Markets on public property shall be classified as a public event.

C. **Manufactured Housing.** Manufactured housing shall be permitted on individual parcels or lots in the A-1 District, provided the following standards are met:

1. The manufactured housing unit shall have a minimum width of nineteen (19) or more feet.
2. The manufactured housing unit shall be attached to a permanent foundation in the ground.
3. The manufactured housing unit shall have the appearance and character of conventional, site-built, single-family housing.
4. Such manufactured housing units shall meet all applicable Building Code requirements.

D. **Commercial Outdoor Recreation, Hospitals, Schools and Churches.** Where commercial outdoor recreation, hospitals, schools and/or churches are permitted by special use permit the following standards shall be complied with, in addition to any conditions placed on the special use permit.

1. A minimum of 50% of the lot area shall be designated as open space.
2. Buildings and structures used in association with outdoor recreation, hospital, school and churches shall be setback from adjoining property lines by a distance of 200 feet, except that the setback specified under Section 6.1.5 shall apply along property lines abutting a public road or the Shenandoah River.
3. Amphitheaters, stadiums and other similar activities that involve the outdoor gathering of large groups of people shall submit a traffic impact study for evaluation by the Town during the special use permit application process if the total number of attendees is anticipated to exceed 2,500 persons. Gatherings of people above 2,500 may only be permitted by the Town on a temporary basis.
4. All outdoor lighting shall be reviewed and approved during the special use permit process. If outdoor lighting is authorized by special use permit, such lighting shall be designed so that light fixtures and the light that they emit minimize light glare to adjoining properties and the night-sky.
5. Campgrounds, and similar facilities, shall comply with all requirements of the Virginia Department of Health, except that in no circumstance shall a campground not be provided with public bathroom facilities with either public utilities or an approved independent well and sanitary sewer system.
6. The hours of operation for outdoor activities shall be defined on any special use permit that may be approved by the Town.

Section 6.1.10 - PERFORMANCE STANDARDS FOR URBAN AGRICULTURE (175-110.5)

Urban Agriculture shall comply with the following performance standards.

A. A zoning permit shall be required for the keeping of animals kept in association with urban agriculture when located on a lot less than 1 acre. Such a zoning permit application shall include a management plan that adequately addresses waste disposal, site suitability, setbacks, animal density, biosecurity and health measures, odor control, noise control, appearance, and maintenance. The management plan shall be reviewed by the Virginia Cooperative Extension Office, or other qualified expert, nonprofit organization or government entity. Conditions of approval or recommendations may be required as part of the zoning permit based on the management plan or other recommendations of the Virginia Cooperative Extension Office, or other qualified expert, nonprofit organization or government entity. The zoning permit shall only be valid for one (1) year; except that, the Zoning Administrator may successively renew the permit in additional one (1) year increments upon expiration; provide that, the use remains in compliance with the management plan and otherwise remains lawful.

B. Single family, duplex or two-family dwellings shall be permitted to keep up to six (6) female chickens (non-crowing hens only), six (6) bee hives, and/or six (6) rabbits.

C. Other types of residential uses, such as townhouses, condominiums, multi-family (apartments), are prohibited from keeping livestock, fowl or bees, except when authorized with a Special Use Permit or Proffer.

D. Commercial and industrial uses, excluding schools, are prohibited from keeping livestock, fowl or bees, except when authorized with a Special Use Permit or Proffer.

E. Roosters, livestock (excluding rabbits), and fowl (excluding hens) are prohibited on lots less than one (1) acre in land area.

F. Pigs are restricted, regardless of lot size, unless a Special Use Permit or Proffer is submitted and approved.

G. Chickens, bees, and rabbits are restricted from the front yard and corner side yard on corner lots.

H. Chickens and rabbits shall be kept within an enclosed area that includes a chicken coop or rabbit hutch. Such facilities shall be kept clean and maintained in good condition.

I. Chickens coops shall be setback at least ten (10) feet from side and rear property lines. Additional setbacks may be required by the Zoning Administrator if recommended as part of the submitted management plan or review agency recommendation.

J. Any permit issued for Urban Agriculture may be revoked by the Zoning Administrator if such use significantly deviates from the approved zoning permit and/or management plan; or if such use creates a violation of the Town Code, including, but not limited to, an unpermitted expansion, noise violation, unpermitted development activity, or nuisance.

K. The sale of goods or services related to Urban Agriculture is not authorized, except where such sale or services is allowed as a principal use of the property. This restriction shall not include the incidental selling or trading with neighbors, family or friends; nor shall it exclude selling produce off-site at farm markets or other venues.

L. The above requirements are considered in addition to all other requirements of the Town Code that may apply.

M. Urban agriculture is not permitted as a principal use of a property; except that, this restriction shall not apply to outdoor gardens.

N. Bee hives must be setback at least ten (10) feet from side and rear property lines, and shall be enclosed on all sides by a fence at least 4 feet in height. A sign between two (2) and four (4) square feet shall be clearly located on the fence to communicate that bees are being kept within the enclosure.

O. Harvesting of honey shall take place within an enclosed building.

DIVISION 6.2 - ESTATE RESIDENTIAL DISTRICT (R-E)

(Adopted 5-9-05)

Section 6.2.1 - STATEMENT OF INTENT (R-E) (175-10.11)

The R-E Estate Residential District is composed of quiet, very low-density residential areas, on estate-sized lots connected to public water and sewer, plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to answer a need in the Town for executive-styled residential development on public water and sewer on larger lots than are traditional or currently being developed, to promote and encourage a suitable environment for family life where there are children and executive-style

families, to provide areas for suitable expansion of the Town as facilities are provided and to prohibit all commercial activities. Development is, therefore, limited to executive-style concentration, and permitted uses are limited to single-unit dwellings, plus selected additional uses, such as public facilities that serve the residents of the district. Mobile homes or rooming houses are prohibited.

Section 6.2.2 - USES PERMITTED BY RIGHT (R-E) (175-10.12)

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-E District, the following uses of land and buildings are permitted by-right in the R-E District:

RESIDENTIAL:

Single-family dwellings, detached

COMMERCIAL:

INDUSTRIAL:

ORGANIZATIONAL:

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open space and conservation areas.

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Article 10.

Special childcare services.

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

Section 6.2.3 - USES PERMITTED BY SPECIAL USE PERMIT (R-E) (175-10.13)

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

RESIDENTIAL:

COMMERCIAL:

Day care, and day-care facilities as set forth in the **Section 8.1.2**

INDUSTRIAL:

ORGANIZATIONAL:

MISCELLANEOUS:

Any use permitted under **Section 6.2.3**, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of **Section 6.2.9**, subject to the requirements of **Division 5.1**. 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 or more enumerated uses by the Zoning Administrator.

Section 6.2.4 - MODEL HOMES AND SALES OFFICES (R-E) (175-10.14)

Model homes and sales offices for the marketing of residential dwellings within a specific development in the R-E Estate Residential District shall be permitted in an R-E Estate Residential Zoning District upon approval of a zoning permit by the Zoning Administrator, subject to the following conditions:

A. The Zoning Administrator shall review and approve or deny all requests for permits authorizing model homes and sales offices for the marketing of residential dwellings within a specific development. In assessing a request for a permit, the Zoning Administrator shall consider the necessity for the model home and/or sales office, its location and its effects on the surrounding neighborhood and/or adjoining property and may require terms and conditions on the location, appearance and such other reasonable conditions as the Zoning Administrator shall deem necessary.

B. The model home shall be a custom site-built home similar in type and size to the other homes sold in the development and shall be used as a residential dwelling after expiration of the model home zoning permit.

C. Only one (1) sales office shall be approved for a development, regardless of the number of phases. A sales office must be located in a model home in the event that the development has an approved model home. Such sales offices shall be restricted to the marketing of residential dwellings at the specific development in question, and no other business whatsoever shall be conducted on the premises.

D. The request for a model home and/or sales office shall be filed by the developer.

E. Each model home and/or sales office shall have a minimum of four (4) off-street parking spaces in addition to other parking spaces required by this chapter.

F. All model homes and sales offices must be connected to Town water and sewer and must provide rest room facilities for the public.

G. The maximum allowable period for the operation of a model home or sales office shall be one (1) year. Applications for renewal for successive six-month periods may be submitted if additional time is necessary to complete sales within the development. All renewal applications must be filed at least thirty (30) days prior to the expiration of the original model home or sales office permit.

H. The Zoning Administrator, in granting a model home or sales office permit, may require the posting of a bond to ensure that the model home and sales office terms and conditions are adhered to and to ensure that the operations cease and the site is left in good order at the expiration of the permit.

Section 6.2.5 - AREA AND FRONTAGE (R-E) (175-10.15)

Area and frontage regulations shall be as follows:

A. Minimum area per lot: one (1) acre.

B. Minimum width at setback line: one hundred seventy-five (175) feet.

Section 6.2.6 - SETBACK (R-E) (175-10.16)

Structures shall be located one hundred (100) feet or more from any street right-of-way. A vacant lot may be assumed to be occupied by a building having a minimum setback.

Section 6.2.7 - YARDS (R-E) (175-10.17)

A. Side: Each side yard shall be a minimum of fifty (50) feet.

B. Rear: Each rear yard shall be a minimum of seventy-five (75) feet.

C. Front: The required depth of the front yard shall be as provided in [Section 6.2.6.](#)

D. Accessory buildings shall be setback from side and rear property lines by no less than twenty-five (25) feet.

Section 6.2.8 - LOT COVERAGE (R-E) (175-10.18)

The maximum building coverage shall be twelve percent (12%).

Section 6.2.9 - HEIGHT (R-E) (175-10.19)

A. Buildings may be erected up to four (4) stories, but not to exceed fifty-five (55) feet in height.

B. No accessory building shall be more than two (2) stories high. All accessory buildings shall be less than the main building in height.

Section 6.2.10 - CORNER LOTS (R-E) (175-10.20)

A. Of the two (2) sides of a corner lot, the front shall be deemed to be either of the two (2) sides fronting on streets.

B. The side yard on the side facing the side street shall be one hundred (100) feet or more for both main and accessory buildings.

C. Each corner lot shall have a minimum width at the setback line of two hundred twenty-five (225) feet.

DIVISION 6.3 - SUBURBAN RESIDENTIAL DISTRICT (R-S)

(Adopted 5-9-05)

Section 6.3.1 - STATEMENT OF INTENT (R-S) (175-10.21)

The R-S Suburban Residential District is composed of quiet, low-density residential areas, on suburban-sized lots, plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to answer a need in the Town for residential development on larger lots on public water and sewer than are traditional or currently being developed, to promote and encourage a suitable environment for family life where there are children, to provide areas for suitable expansion of the Town as facilities are provided and to prohibit all commercial activities. Development is, therefore, limited to suburban-style concentration, and permitted uses are limited to single-unit dwellings, plus selected additional uses, such as public facilities that serve the residents of the district. Mobile homes or rooming houses are prohibited.

Section 6.3.2 - USES PERMITTED BY RIGHT (R-S) (175-10-22)

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-S District, the following uses of land and buildings are permitted by-right in the R-S District:

RESIDENTIAL:

Single-family dwellings, detached

COMMERCIAL:

INDUSTRIAL:

ORGANIZATIONAL:

MISCELLANEOUS:

Accessory uses, structures and buildings

Home occupations

Open space and conservation areas

Public facilities

Public parks and playgrounds

Public utilities

Signs, as set forth in **Article 10**

Special childcare services

Such other uses as determined similar to one or more enumerated uses by the Zoning Administrator

Section 6.3.3 - USES PERMITTED BY SPECIAL USE PERMIT (R-S) (175-10.23)

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

RESIDENTIAL:

COMMERCIAL:

Bed and Breakfasts, as set forth in **Section 8.1.3**

Day care, and day-care facilities as set forth in the **Section 8.1.2 of this chapter**

INDUSTRIAL:

ORGANIZATIONS:

Churches

Public Libraries

Schools

MISCELLANEOUS:

Any use permitted under **Section 6.3.2**, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of **Section 6.3.9**, subject to the requirements of **Division 5.1**. 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 or more enumerated uses by the Zoning Administrator.

Section 6.3.4 - MODEL HOMES AND SALES OFFICES (R-S) (175-10.24)

Model homes and sales offices for the marketing of residential dwellings within a specific development in the R-S Suburban Residential District shall be permitted in an R-S Suburban Residential Zoning District upon approval of a zoning permit by the Zoning Administrator, subject to the following conditions:

A. The Zoning Administrator shall review and approve or deny all requests for permits authorizing model homes and sales offices for the marketing of residential dwellings within a specific development. In assessing a request for a permit, the Zoning Administrator shall consider the necessity for the model home and/or sales office, its location and its effects on the surrounding neighborhood and/or adjoining property and may require terms and conditions on the location, appearance and such other reasonable conditions as the Zoning Administrator shall deem necessary.

B. The model home shall be a standard site-built home similar in type and appearance to the other homes sold in the development and shall be used as a residential dwelling after expiration of the model home zoning permit.

C. Only one (1) sales office shall be approved for a development, regardless of the number of phases. A sales office must be located in a model home in the event that the development has an approved model home. Such sales offices shall be restricted to the marketing of residential dwellings at the specific development in question, and no other business whatsoever shall be conducted on the premises.

D. The request for a model home and/or sales office shall be filed by the developer.

E. Each model home and/or sales office shall have a minimum of four (4) off-street parking spaces in addition to other parking spaces required by this chapter.

F. All model homes and sales offices must be connected to Town water and sewer and must provide rest room facilities for the public.

G. The maximum allowable period for the operation of a model home or sales office shall be one (1) year. Applications for renewal for successive six-month periods may be submitted if additional time is necessary to complete sales within the development. All renewal applications must be filed at least thirty (30) days prior to the expiration of the original model home or sales office permit.

H. The Zoning Administrator, in granting a model home or sales office permit, may require the posting of a bond to ensure that the model home and sales office terms and conditions are adhered to and to ensure that the operations cease and the site is left in good order at the expiration of the permit.

Section 6.3.5 - AREA AND FRONTAGE (R-S) (175-10.25)

Area and frontage regulations shall be as follows:

A. Minimum area per lot: one-half ($\frac{1}{2}$) acre (twenty-one thousand seven hundred eighty square ft)

B. Minimum width at setback line: one hundred fifty (150) feet.

Section 6.3.6 - SETBACK (R-S) (175-10.26)

Structures shall be located fifty (50) feet or more from any street right-of-way which is fifty (50) feet or greater in width or seventy-five (75) feet or more from the center of any street right-of-way less than fifty (50) feet in width; however, no building need be set back more than the average of the setback of the immediately adjoining structures on either side. A vacant lot may be assumed to be occupied by a building having a minimum setback.

Section 6.3.7 - YARDS (R-S) (175-10.27)

A. Side: The minimum total width of the side yards shall be fifty (50) feet, with no one (1) side yard being less than twenty (20) feet.

B. Rear: Each rear yard shall be a minimum of fifty (50) feet.

C. Front: The required depth of the front yard shall be as provided in Section 6.3.6.

D. Accessory buildings shall be setback from side and rear property lines by no less than fifteen (15) feet.

Section 6.3.8 - LOT COVERAGE (R-S) (175-10.28)

The maximum building coverage shall be twenty-five percent (25%).

Section 6.3.9 - HEIGHT (R-S) (175-10.29)

A. Buildings may be erected up to three and one-half ($3 \frac{1}{2}$) stories, but not to exceed forty-five (45) feet in height.

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

C. Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

D. No accessory building which is within twenty (20) feet of any lot line shall be more than one (1) story high. All accessory buildings shall be less than the main building in height.

Section 6.3.10 - 175-10.30 CORNER LOTS (R-S)

A. Of the two (2) or more yards of a corner lot with frontage along multiple streets, the front yard shall be established by the following criteria:

1. For new subdivision applications, the front yard shall be identified by the applicant on the subdivision site plan and approved by the Town on the approved final plat.
2. For new construction on existing corner lots where no front yard is designated on the approved final plat, the property owner shall determine the front yard on the Zoning Permit application and shall be approved by the Town on the approved Zoning Permit.
3. For existing structures, the front yard shall be the yard with frontage that the front façade of the primary building faces.
4. The approved front yard established by this Code Section shall only be changed by review and approval of a revised final plat approved by the Planning Commission. Such future requests shall be approved if the Planning Commission determines that the proposed front yard is consistent with other properties along the same street frontages.

B. The side yard setback on the side facing the side street shall be fifty (50) feet or more for main buildings, and fifty (50) feet or more for accessory buildings.

C. Each corner lot shall have a minimum width at the setback line of two hundred (100) feet.

D. The rear yard setback if facing a street shall be fifty (50) feet or more for both main and accessory buildings.

DIVISION 6.4 - RESIDENTIAL DISTRICT (R-1)

Section 6.4.1 - STATEMENT OF INTENT (R-1) (175-11)

The R-1 District is composed of quiet, low-density residential areas, plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to promote and encourage a

suitable environment for family life where there are children, to provide areas for suitable expansion of the Town as facilities are provided and to prohibit all commercial activities. Development is, therefore, limited to relatively low concentration, and permitted uses are limited to single-unit dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district. Mobile homes or rooming houses are prohibited.

Section 6.4.2 - USES PERMITTED BY RIGHT(R-1) (175-12)

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-1 District, the following uses of land and buildings are permitted by-right in the R-1 District:

RESIDENTIAL:

Single-family dwellings, detached

COMMERCIAL:

INDUSTRIAL:

ORGANIZATIONAL:

Churches

Public libraries

Schools

MISCELLANEOUS:

Accessory uses, structures and buildings

Home occupations

Open space and conservation areas

Public facilities

Public parks and playgrounds

Public utilities

Signs, as set forth in Article 10

Special childcare services

Such other uses as determined similar to one or more enumerated uses by the Zoning Administrator

Section 6.4.3 - USES PERMITTED BY SPECIAL USE PERMIT (R-1) (175-12.1)

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:

COMMERCIAL:

Bed and Breakfasts, as set forth in **Section 8.1.3**

Day care, and day-care facilities as set forth in the **Section 8.1.2 of this chapter**

INDUSTRIAL:

ORGANIZATIONAL:

Community Centers.

Fire and Rescue Squads and Police Stations.

MISCELLANEOUS:

Any use permitted under **Section 6.4.2**, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of **Section 6.4.9**, subject to the requirements of **Division 5.1**. 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 or more enumerated uses by the Zoning Administrator.

Section 6.4.4 - MODEL HOMES AND SALES OFFICES (R-1) (175-12.2)

Model homes and sales offices for the marketing of residential dwellings within a specific development shall be permitted in an R-1 Residential Zoning District upon approval of a zoning permit by the Zoning Administrator, subject to the following conditions:

A. The Zoning Administrator shall review and approve or deny all requests for permits authorizing model homes and sales offices for the marketing of residential dwellings within a specific development. In assessing a request for a permit, the Zoning Administrator shall consider the necessity for the model home and/or sales office, its location and its effects on the surrounding neighborhood and/or adjoining property and may require terms and conditions on the location,

appearance and such other reasonable conditions as the Zoning Administrator shall deem necessary.

B. The model home shall be a standardly constructed home similar in type and appearance to the other homes sold in the development and shall be used as a residential dwelling after expiration of the model home zoning permit.

C. Only one (1) sales office shall be approved for a development, regardless of the number of phases. A sales office must be located in a model home in the event that the development has an approved model home. Otherwise, the sales office shall be located in a residential home located in the development. In assessing a request for a sales office, the Zoning Administrator shall consider the necessity for the sales office, its location and its effect on the surrounding neighborhood and/or adjoining property and may require terms and conditions on the location, appearance and other such reasonable conditions as the Zoning Administrator shall deem necessary. Such sales offices shall be restricted to the marketing of residential dwellings at the specific development in question, and no other business whatsoever shall be conducted on the premises.

D. The request for a model home and/or sales office shall be filed by the developer.

E. Each model home and/or sales office shall have a minimum of four (4) off-street parking spaces in addition to other parking spaces required by this chapter.

F. All model homes and sales offices must be connected to Town water and sewer and must provide rest room facilities for the public.

G. The maximum allowable period for the operation of a model home or sales office shall be one (1) year. Applications for renewal for successive six-month periods may be submitted if additional time is necessary to complete sales within the development. All renewal applications must be filed at least thirty (30) days prior to the expiration of the original model home or sales office permit.

H. The Zoning Administrator, in granting a model home or sales office permit, may require the posting of a bond to ensure that the model home and sales office terms and conditions are adhered to and to ensure that the operations cease and the site is left in good order at the expiration of the permit.

I. The Zoning Administrator may establish such additional requirements and conditions as may be in the best interests of the Town of Front Royal.

Section 6.4.5 - AREA AND FRONTAGE (R-1) (175-13)

Area and frontage regulations shall be as follows:

A. On-lot water and sewer:

1. Minimum area per lot: forty thousand (40,000) square feet.
2. Minimum width at setback line: one hundred (100) feet.

B. Public water or public sewer:

1. Minimum area per lot: thirty thousand (30,000) square feet.
2. Minimum width at setback line: eighty (80) feet.

C. Public water and public sewer:

1. Minimum area per lot: ten thousand (10,000) square feet.
1. Minimum width at setback line: seventy-five (75) feet.

Section 6.4.6 - SETBACK (R-1) (175-14)

Structures shall be located thirty-five (35) feet or more from any street right-of-way which is fifty (50) feet or greater in width or fifty-five (55) feet or more from the center of any street right-of-way less than fifty (50) feet in width; however, no building need be set back more than the average of the setback of the immediately adjoining structures on either side. A vacant lot fifty (50) feet or more in width may be assumed to be occupied by a building having a minimum setback.

Section 6.4.7 - YARDS (R-1) (175-15)

A. Side: The minimum total width of the side yards shall be twenty-five (25) feet, with no one (1) side yard being less than ten (10) feet.

B. Rear: Each rear yard shall be a minimum of thirty (30) feet.

C. Front: The required depth of the front yard shall be as provided in Section 6.4.6. On lots of less than two (2) acres in size or where the front yard provided for any single-family dwelling is less than 150 feet, the main or front building facade and entrance shall be oriented toward the front yard of the property, unless an administrative variance is granted pursuant to Section 5.1.2

D. Accessory buildings shall be set back from side and rear property lines by no less than five (5) feet.

Section 6.4.8 - LOT COVERAGE (R-1) (175-16)

The maximum building coverage shall be thirty percent (30%).

Section 6.4.9 - HEIGHT (R-1) (175-17)

A. Buildings may be erected up to two and one-half (2 1/2) stories, but not to exceed thirty-five (35) feet in height.

B. A public or semipublic building, such as a school, church or library, may be erected to a height of sixty (60) feet from grade, provided that required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.

C. Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

D. No accessory building which is within twenty (20) feet of any party lot line shall be more than one (1) story high. All accessory buildings shall be less than the main building in height.

Section 6.4.10 - CORNER LOTS (R-1) (175-18)

A. Of the two (2) or more yards of a corner lot with frontage along multiple streets, the front yard shall be established by the following criteria:

1. For new subdivision applications, the front yard shall be identified by the applicant on the subdivision site plan and approved by the Town on the approved final plat.
2. For new construction on existing corner lots where no front yard is designated on the approved final plat, the property owner shall determine the front yard on the Zoning Permit application and shall be approved by the Town on the approved Zoning Permit.
3. For existing structures, the front yard shall be the yard with frontage that the front façade of the primary building faces.
4. The approved front yard established by this Code Section shall only be changed by review and approval of a revised final plat approved by the Planning Commission. Such future requests shall be approved if the Planning Commission determines that the proposed front yard is consistent with other properties along the same street frontages.

B. The side yard setback on the side facing the side street shall be thirty (30) feet or more for main buildings, and thirty-five (35) feet or more for accessory buildings.

C. Each corner lot shall have a minimum width at the setback line of one hundred (100) feet.

D. The rear yard setback if facing a street shall be fifty (50) feet or more for both main and accessory buildings.

DIVISION 6.5 - RESIDENTIAL DISTRICT (R-1A)

Section 6.5.1 - STATEMENT OF INTENT (R-1A) (175-18.1)

The R-1A District is designed to accommodate single-family and two-dwelling duplex residential development of a medium density on smaller individual lots. The standards for this district are designed to maintain the character of the designated areas and to protect and encourage a suitable environment for family life, with a diversity of housing options and density choices to allow for aging in place, and different income levels, that are in line with intentions of the Neighborhood Residential Future Land Use Map designation. Optional cluster subdivision standards are included with the intent and purpose of providing greater flexibility for larger development projects. To ensure quality development, the added development flexibility is balanced with requirements that require additional open space and recreational amenities. These additional requirements support development with a diversity of property values and housing choices; better preservation of the natural environment, tree canopy; and a more active and healthy community.

Section 6.5.2 - USE REGULATIONS (R-1A) (175-18.2)

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

Single-Family, attached

Two-Family dwellings (Duplex)

Townhouses

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 & Police Stations

Public parks and playgrounds

Public utilities

Signs, as set forth in **Article 10 of this chapter**

Special childcare services

Such other uses as determined similar to one 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:

COMMERCIAL:

Day care, and day-care facilities as set forth in **Section 8.1.2 of this chapter.**

INDUSTRIAL:

ORGANIZATIONAL:

Fire and Rescue Squad & Police Stations.

Public Libraries.

Community Center.

MISCELLANEOUS:

Any use permitted under **Section 6.5.2**, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of **Section 6.2.8**, subject to the requirements of **Division 5.1**. 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 or more enumerated uses by the Zoning Administrator.

Section 6.5.3 - AREA (R-1A) (175-18.3)

Notwithstanding the provisions of **Section 2.4.5**, all newly established uses, with the exception of single-family dwellings, shall be required to meet the minimum area requirements at the time of establishment of the use.

A. Minimum lot size:

1. Residential dwellings: seven thousand (5,000) square feet.
2. Schools: twenty thousand (20,000) square feet.
3. Churches: twenty thousand (20,000) square feet.
4. Parks and playgrounds: five thousand (5,000) square feet.
5. Public utilities: no regulation.
6. Other public facility uses: twenty thousand (20,000) square feet.

B. Minimum lot width:

1. Residential dwellings:
 - a. Corner lots: seventy (50) feet.
 - b. Interior lots: fifty (40) feet.
2. Parks and playgrounds and public utilities: no regulation.
3. All other uses: one hundred (100) feet.

C. Minimum district size: two (2) acres.

Section 6.5.4 - HEIGHT (R-1A) (175-18.4)

A. Residential dwellings: thirty-five (35) feet maximum.

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

C. Exemptions from height requirements:

1. Church spires.
2. Belfries.
3. Cupolas.
4. Municipal water towers.
5. Chimneys.

6. Flues.
7. Flagpoles.
8. Television antennas.
9. Radio aerals.

D. Height of Accessory buildings and structures:

1. On lots with an area of less than a half (0.5) acre: two-thirds (2/3) height of principal structure, with the exception where the principal structure is a one-story building, an accessory building may match the height of the principal structure.
2. On lots with an area of a half (0.5) acre or more: not to exceed height of principal structure or thirty-five (35) feet, whichever is less.

Section 6.5.5 - MINIMUM YARD DIMENSIONS (R-1A) (175-18.5)

A. Residential dwellings:

1. Front setback: fifteen (15) feet.
2. Side: five (5) feet.
3. Corner side: twenty-five (15) feet.
4. Rear: Five (5) feet.

B. Other principal structures:

1. Front setback: twenty-five (20) feet.
2. Side: fifteen (10) feet.
3. Rear: thirty (10) feet.
4. Corner side: twenty-five (25) feet.

C. Accessory buildings and structures:

1. Front setback: Accessory buildings shall all be behind the primary structure by five (5) feet.
2. Side: five (5) feet
3. Rear: five (5) feet 4. Corner side: fifteen (15) feet.

D. Notwithstanding the provisions above, the front setback on any lot located within a block that is fifty percent (50%) or more developed shall conform with any consistently established setback along the block.

E. The main or front building facade and entrance for any residential dwelling shall be oriented toward the front yard of the property, unless an administrative variance is granted pursuant to [Section 5.1.2](#).

Section 6.5.6 - LOT COVERAGE (R-1A) (175-18.6)

A. Maximum building coverage, primary and accessory buildings: sixty five percent (65%)

. Section 6.5.7 - OFF-STREET PARKING (R-1A) (175-18.7)

A. Space requirements:

1. Single-family dwellings: two (2) spaces per unit.
2. Duplexes: one (1) space per unit.
3. Churches/assembly area: one (1) space per four (4) fixed seats in the main assembly or one (1) per one hundred (100) net square feet.
4. Schools: one (1) space per employee plus parking space for assembly areas as provided in Subsection A (2) above.
5. Libraries: one (1) space per one thousand (1,000) gross square feet.

B. Location: Minimum setback for driveways and parking: three (2) feet from side and rear property lines for parking areas consisting of no more than 4,500 square feet in area. All parking areas with more than 4,500 square feet in area shall meet the requirements of [Section 148-870](#).

C. Parking spaces where one car is parked behind another car are permitted in this district for individual dwelling units.

Section 6.5.8 - OPTIONAL CLUSTER DEVELOPMENT STANDARDS (R-1A) (175-18.8)

A. In lieu of the traditional design standards of [Sections 6.5.3 through 6.5.7](#), the following design standards may be used for cluster developments in the R-1A District.

1. Area
 - a. Minimum lot size: 5,500 square feet
 - b. Minimum lot width:
 - (1) Corner lots: sixty (60) feet
 - (2) Interior lots: fifty (50) feet
 - c. Minimum district size: twenty (10) acres
2. Height
 - a. Residential dwellings: thirty-five (35) feet maximum.
 - b. Public or semipublic buildings: forty-five (45) feet maximum, provided that the required front, side and rear yards are increased by two (2) feet for each foot in height over thirty-five (35) feet.

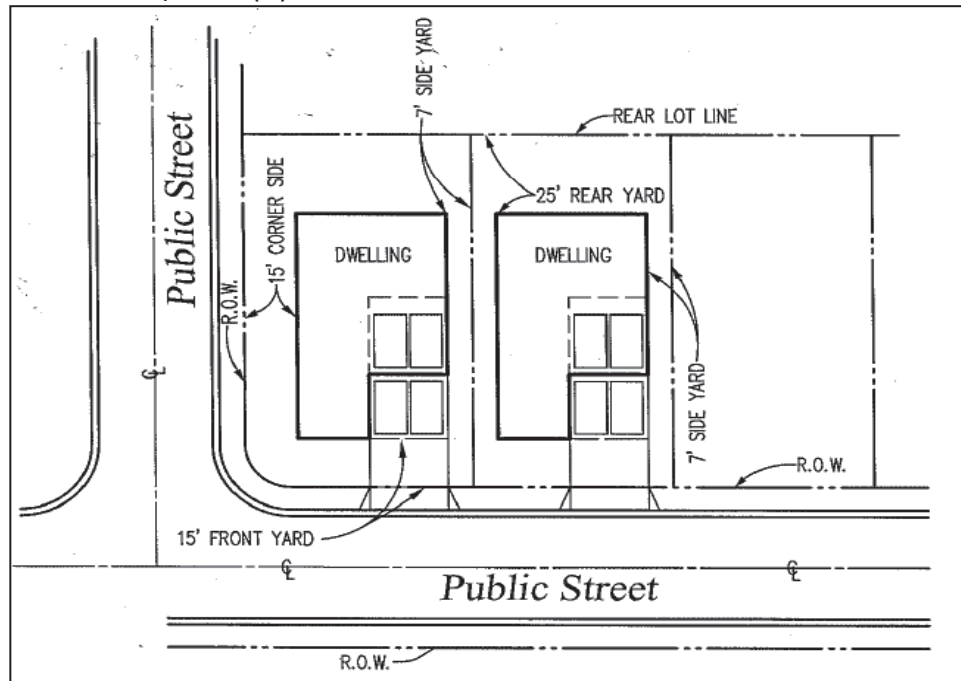
c. Exemptions from height requirements:

- (1) Church spires.
- (2) Belfries.
- (3) Cupolas.
- (4) Municipal water towers.
- (5) Chimneys.
- (6) Flues.
- (7) Flagpoles.
- (8) Television antennas.
- (9) Radio aerials.
- (10) Accessory buildings and structures: Not to exceed the height of principal structure, or thirty-five (35) feet, whichever is less.

3. Minimum Yard Dimensions.

a. Residential dwellings, detached:

- (1) Front: Fifteen feet (15); provided that required off-street parking is at least eighteen (18) feet in length, and the required setbacks from any building are met as specified below under Section 6.5.8.A.5. An unenclosed porch may encroach within the required front yard an additional five (5) feet.
- (2) Side: Five (5) feet; except that the setback can be reduced to a minimum of three (3) feet when a separation of ten feet (10) feet is maintained between the adjacent structure.
- (3) Corner side: fifteen (15) feet; provided that any accessory building is not closer than other houses located along the same street.
- (4) Rear: Twenty five (5) feet.



b. Accessory buildings and structures:

- (1) Front: Accessory buildings shall all be behind the primary structure by five (5) feet, provided that any accessory building is not closer than other houses located along the same street.
 - (2) Side: five (5) feet.
 - (3) Corner side: fifteen (15) feet; provided that any accessory building is not closer than other houses located along the same street.
 - (4) Rear: five (5) feet.
- c. Notwithstanding the provisions above, the front setback on any lot located within a block that is fifty percent (50%) or more developed shall conform with any consistently established setback along the block.
- d. The main or front building facade and entrance for any single-family dwelling shall be oriented toward the front yard of the property, unless an administrative variance is granted pursuant to [Section 5.1.2](#), or alternatively, a special use permit, in accordance with [Division 5.1](#), may be issued to allow frontage along open space areas when such request is submitted with a site plan or subdivision plan for review.
- 4. Lot Coverage.
 - a. Maximum building coverage: sixty five percent (65%).
- 5. Off-Street Parking.
 - a. Space Requirements:
 - (2) Duplex: one (1) space per unit.
 - (3) Churches/assembly area: one (1) space per four (4) fixed seats in the main assembly or one (1) per one hundred (100) net square feet.
 - (4) Schools: one (1) space per employee, plus one (1) space per four (4) fixed seats in the main assembly, or alternatively for the latter, one (1) per one hundred (100) net square feet.
 - (5) Libraries: one (1) space per one thousand (1,000) gross square feet.
 - b. Minimum setback for driveways and parking: three (3) feet from side and rear property lines for parking areas consisting of no more than 4,500 square feet in area. All parking areas with more than 4,500 square feet in area shall meet the requirements of [Section 148-870](#).
 - c. As required under [Section 148-870.A.10](#), required off-street parking spaces shall be setback at least five (5) feet from all buildings; excluding the setback between the side orientation of the parking space and a single-family detached dwelling, provided that a garage is provided that is recessed behind the front building façade of such dwelling.
 - d. Parking spaces where one car is parked behind another car are permitted in this district for individual dwelling units. Furthermore, within cluster subdivisions, regardless of other provisions within [this Chapter](#) or Chapter 148, up to one (1) space within a garage or carport may be counted as required off-street parking within a cluster development, provided that the minimum parking space dimensions are met.
- 6. Community Open Space.

- a. Minimum Community Open Space Area: A minimum amount of common open space shall be provided at the equivalence that the minimum lot area of all lots is reduced below 7,000 square feet. Below is an example of how the required minimum common open space for a cluster subdivision shall be calculated:

$$\text{Total Number of Building Lots} \times 7,000 \text{ square feet} = X$$

$$X - \text{Total Area of Building Lots Proposed} = \text{Required Open Space}$$

- b. No more than 50% of open space may be located within developmentally restricted areas, such as, but not limited to, the floodway.
- c. Surface water bodies may be included within common open space areas, but may not be counted towards the required amount of open space.
- d. Access to community open space shall be provided by adjoining street frontage. In lieu of adjoining street frontage, a 20-foot-wide public access easement may be authorized by the Planning Commission during the site plan or subdivision plan review process. In such consideration, the Planning Commission may require pedestrian improvements to ensure adequate access is provided to the common opens space.
- e. Cluster subdivisions shall provide recreational facilities within common open space based on the number of dwelling units. For the purpose of determining minimum requirements, one (1) recreational unit shall be provided for every 50 dwelling units.
- (1) The number of recreational unit credits that each type of recreational facility receives shall be based on the table shown below.

Recreational Unit Type		Recreational Unit Credit
Playground, as described under 175-18.8.A.6.e (2i).		1.5
Community Center, including an enclosed building with a meeting hall.		2.5
In-ground Swimming Pool with fencing.		2
Tennis Court Facility with fencing.		1
Pocket Park w/ vegetable gardens.		1
Pocket Park w/ meditation gardens.		1
Partial or full Athletic Fields or courts, such as soccer or baseball fields.		1
≥ ¼ mile		1

6' wide asphalt Hiking / Biking Trail · (or other approved material)	≥ 1 mile	2
	≥ 3 mile	3
	≥ 4 mile	4
Picnic Shelters with cooking facilities, picnic tables & trash receptacles.		1
Horseshoe pit and/or fire pit with seating area.		1
Covered structure with seating area		1
Improved/landscaped passive or active nature areas with wildflowers or edible landscaping or ornamental trees or orchards.		1
Neighborhood green/square of ½ acre or more with pathways.		1
Community park of 8 acres or more with pathways.		2
Other types of recreational facilities.		As equivalent to any of the above-listed types, as determined by the Planning Commission.

- (2) The first recreational unit type of a cluster subdivision shall consist of a playground, with the amenities described below. Alternative recreational unit types for the first recreational unit may be permitted by the Planning Commission for age-restricted communities.

1. A playground shall consist of a composite play system, or systems, with eight (8) play features and a sitting bench.

TABLE 5.5.8.A.6.e.(2)i.

Example Playground Recreational Unit Type

Quantity	Equipment
Minimum 2	2 to 5 year-old play features
Minimum 1	Slides
Minimum 1	Climbing features
Minimum 1	Overhead features
Minimum 1	Tunnels
Minimum 1	Play panels

Minimum 1	Swings (8 feet high, 2 seats)
Minimum 1	Sitting bench

2. Playgrounds shall be constructed to specifications equivalent to those issued by the U.S. Consumer Product Safety Commission in the document *Public Playground Safety Handbook (2010)*, or as may be amended in the future.
- (3) Each home shall be within one-quarter (1/4) of a mile from at least one qualifying recreational unit facility.
- (4) Recreational facilities shall be constructed in sequence with the phasing of development for the cluster subdivision.
- (5) Recreational facilities shall conform to the Virginia Uniform Statewide Building Code, including Handicap Accessibility (ADA) Standards.
- (6) Buildings or structures used for community recreational purposes may be located within transitional yards, as required below, but shall conform with the minimum setback requirements for principle structures.
- (7) Common open space, including all recreational units, shall be maintained in good condition by the developer until such time that it is dedicated to a Homeowner's Association or accepted as a public park by Warren County or the Town of Front Royal.
7. Transitional Yard. A minimum transitional yard area is required between any principal building and the following:
 - a. Any planned limited access roadway (i.e. no curb cuts for individual driveways): Minimum 15 feet
 - b. Any adjoining development that is not part of the R-1A cluster subdivision, unless such adjoining property shares the same ownership as the R1-A cluster subdivision: Minimum 30 feet.

DIVISON 6.6 - RESIDENTIAL DISTRICT (R-2)

Section 6.6.1 - STATEMENT OF INTENT (R-2) (175-19)

The R-2 District is composed of medium-density concentrations of residential uses and open areas where similar development appears likely to occur. The standards for this district are designed to stabilize and protect the essential character of the area so designated and to protect and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life with a diversity of housing options and density choices to allow for aging in place, and different income levels, that are in line with intentions of the Neighborhood Residential Future Land Use Map designation. Development is, therefore, limited to low- to medium-density concentrations, and permitted uses are limited to single-family- and two-family-type, duplex and townhouse dwellings plus selected

additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district. Home occupations, as defined by this chapter, are permitted. Mobile homes are prohibited.

Section 6.6.2 - USES PERMITTED BY RIGHT (R-2) (175-20)

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-2 District, the following uses of land and buildings are permitted by-right in the R-2 District:

RESIDENTIAL:

Duplexes

Single-family dwellings, detached

Two-family dwellings

Townhouses

COMMERCIAL:

INDUSTRIAL:

ORGANIZATIONAL:

Churches

Schools

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open space and conservation areas.

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Section Article 10.

Special childcare services.

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

Section 6.6.3 - USES PERMITTED BY SPECIAL USE PERMIT (R-2) (175-20.1)

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:

Multi-Family Dwelling Units

COMMERCIAL:

Bed and Breakfast Uses set forth in **Section 8.1.3 of this chapter**

Day care, and day-care facilities as set forth in the **Section 8.1.2 of this chapter**

Nursing homes, as set forth in **Section 8.1.1**

INDUSTRIAL:

ORGANIZATIONAL:

Fire and Rescue Squad & Police Stations

Public Libraries

Community Center (public)

MISCELLANEOUS:

Any use permitted under **Section 6.6.2**, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of **Section 6.6.10**, subject to the requirements of **Division 5.1**. 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.

Section 6.6.4 - MODEL HOMES AND SALES OFFICES (R-2) (175-20.2)

Model homes and sales offices for the marketing of residential dwellings within a specific development shall be permitted in an R-2 Residential Zoning District upon approval of a zoning permit by the Zoning Administrator, subject to the provisions and conditions set forth in **this chapter Section 6.4.4**.

Section 6.6.5 - AREA (R-2) (175-21)

The minimum lot area in R-2 Residential Districts shall be as follows:

A. The minimum lot size for a duplex structure is six thousand (6,000) square feet. A duplex lot may be further subdivided into separate parcels for each dwelling unit

of the duplex, provided that the resulting lot size for each duplex dwelling unit is a minimum of three thousand (3,000) square feet.

B. The minimum lot size for a townhouse structure is eight thousand (8,000) square feet.

B. The minimum lot size for all other uses is five thousand (5,000) square feet.

Section 6.6.6 - SETBACK (R-2) (175-22)

Structures shall be located thirty (30) feet or more from any street right-of-way which is fifty (50) feet or greater in width or fifty-five (55) feet or more from the center of any street right-of-way less than fifty (50) feet in width; however, no building need be set back more than the average of the setbacks of the immediately adjoining structures on either side. A vacant lot fifty (50) feet or more in width may be assumed to be occupied by a building having a minimum setback.

Section 6.6.7 - FRONTAGE (R-2) (175-23)

The minimum lot width at the setback line shall be seventy (50) feet.

Section 6.6.8 - YARDS (R-2) (175-24)

A. Side: Each side yard shall be a minimum of ten (5) feet.

B. Rear: Each rear yard shall be a minimum of twenty-five (25) feet.

C. Front: The required depth of the front yard shall be as provided in Section 6.6.6. The main or front building facade and entrance for any residential structure shall be oriented toward the front yard of the property, unless an administrative variance is granted pursuant to Section 5.1.2.

D. Accessory buildings shall be setback from side and rear property lines by no less than five (5) feet. No accessory building is permitted within a required front yard.

Section 6.6.9 - LOT COVERAGE (R-2) (175-25)

The maximum building coverage shall be thirty-five percent (45%).

Section 6.6.10 - HEIGHT (R-2) (175-26)

A. Buildings may be erected up to two and one-half (2 1/2) stories, but not to exceed thirty-five (35) feet in height.

B. A public or semipublic building, such as a school, church or library, may be erected to a height of sixty (60) feet from grade, provided that required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.

C. Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

D. Accessory buildings over one (1) story in height shall be at least ten (10) feet from any lot line. All accessory buildings shall be less than the main building in height.

Section 6.6.11 - CORNER LOTS (R-2) (175-27)

A. Of the two (2) or more yards of a corner lot with frontage along multiple streets, the front yard shall be established by the following criteria:

1. For new subdivision applications, the front yard shall be identified by the applicant on the subdivision site plan and approved by the Town on the approved final plat.
2. For new construction on existing corner lots where no front yard is designated on the approved final plat, the property owner shall determine the front yard on the Zoning Permit application and shall be approved by the Town on the approved Zoning Permit.
3. For existing structures, the front yard shall be the yard with frontage that the front façade of the primary building faces.
4. The approved front yard established by this Code Section shall only be changed by review and approval of a revised final plat approved by the Planning Commission. Such future requests shall be approved if the Planning Commission determines that the proposed front yard is consistent with other properties along the same street frontages.

B. The side yard setback on the side facing a side street shall be twenty-five (25) feet or more for main buildings, and thirty (30) feet or more for accessory buildings.

C. Each corner lot shall have a minimum width at the setback line of one hundred (50) feet.

D. The rear yard setback if facing a street shall be fifty (40) feet or more for both main and accessory buildings.

DIVISION 6.7 - RESIDENTIAL DISTRICT (R-3)

Section 6.7.1 - STATEMENT OF INTENT (R-3) (175-28)

The R-3 Residential District is composed of medium-to-high density concentrations of residential uses. The standards for this district are designed to stabilize and protect the essential character of the area so designated and to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for families desiring the amenities of apartment living and the convenience of being closest to shopping, employment centers and other community facilities. Development is, therefore, limited to medium- to high-density concentration, and permitted uses are limited to single-family, two-family

and multi-family dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities. Home occupations, as defined by this chapter, are permitted. Mobile homes are prohibited.

Section 6.7.2 - USES PERMITTED BY RIGHT (R-3) (175-29)

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-3 District, the following uses of land and buildings are permitted by-right in the R-3 District:

RESIDENTIAL:

Duplexes.

Single-family dwellings, detached

Townhouses developed on sites of twenty thousand (20,000) square feet up to one (1) acre as set forth in Division 9.6.

Two-family dwellings.

COMMERCIAL:

Hospitals and other semipublic facilities of an institutional nature.

Pharmaceutical centers as set forth in Division 9.4 of this chapter.

Professional offices as set forth in Division 9.4 of this chapter.

Nursing homes, as set forth in Section 8.1.1.

INDUSTRIAL:

ORGANIZATIONS:

Churches

Schools

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open space and conservation areas.

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Article 10.

Special childcare services.

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

Section 6.7.3 - USES PERMITTED BY SPECIAL USE PERMIT (R-3) (175-30)

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 Division 9.7.

Townhouses on sites over one (1) acre, as set forth in Division 9.6.

COMMERCIAL:

Bed and Breakfast Uses set forth in Town Code Section 8.1.3.

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 8.1.2.

Nursing homes, as set forth in Section 8.1.1.

INDUSTRIAL:

ORGANIZATIONAL:

Art galleries and museums.

Fire and Rescue Squad & Police Stations

Public Libraries

Community Center (public)

MISCELLANEOUS:

Any use permitted under Section 6.7.2, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 6.7.10, subject to the requirements of Division 5.1. 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 8.1.5.](#)

Lodging houses, rooming houses and boarding houses.

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

Section 6.7.4 - MODEL HOMES AND SALES OFFICES (R-3) (175-30.1)

Model homes and sales offices for the marketing of residential dwellings within a specific development shall be permitted in an R-3 Residential Zoning District upon approval of a zoning permit by the Zoning Administrator, subject to the provisions and conditions set forth in this chapter [Section 6.7.4.](#)

Section 6.7.5 - AREA (R-3) (175-31)

The minimum lot area in R-3 Residential Districts shall be as follows:

A. The minimum lot size for a duplex structure is seven thousand five hundred (7,500) square feet. A duplex lot may be further subdivided into separate parcels for each dwelling unit of the duplex, provided that the resulting lot size for each duplex dwelling unit is a minimum of three thousand seven hundred fifty (3,750) square feet.

B. The minimum lot size for townhouses shall be as stated in [Division 9.6 of this chapter](#)

C. The minimum lot size for apartments shall be as stated in [Division 9.7 of this chapter](#)

D. The minimum lot size for all other uses is six thousand (6,000) square feet. An additional one thousand five hundred (1,500) square feet shall be required for each additional dwelling unit above one (1) for all residential uses other than townhouses, apartments and duplexes.

Section 6.7.6 - SETBACK (R-3) (175-32)

Structures shall be located thirty (30) feet or more from any street right-of-way which is fifty (50) feet or greater in width or fifty-five (55) feet or more from the center of any street right-of-way less than fifty (50) feet in width; however, no building need be set back more than the average of the setbacks of the immediately adjoining structures on either side. A vacant lot fifty (50) feet or more in width may be assumed to be occupied by a building having a minimum setback.

Section 6.7.7 - SETBACK WIDTHS (R-3) (175-33)

A. The minimum lot width at the setback line shall be sixty (50) feet.

B. Notwithstanding the provisions of Subsection A, the minimum lot width at the setback line shall be consistent with the established lot width at the setback line for abutting lots fronting the same road or street on either side of the lot to be subdivided, provided as follows:

1. Subsection B shall only apply in cases of new subdivision or re-subdivision involving the creation of four (4) or fewer new lots.
2. Subsection B shall only apply in cases where the aforesaid abutting lots were established and in existence prior to April 10, 1978.
3. Under no circumstances shall the minimum lot width at the setback line for newly created lots be less than fifty (50) feet, regardless of the setback width of the abutting lots.
4. All corner lots shall be governed by the provisions of [Section 5.7.11c](#).
5. Where abutting lots have differing widths at their setback lines, the minimum setback width for newly created lots shall be consistent with the larger of the two abutting lots, or sixty (60) feet, whichever is lesser.
6. An "abutting lot" is defined as a lot sharing a common side yard boundary with the lot to be subdivided and fronting the same street as the lot to be subdivided.

Section 6.7.8 - YARDS (R-3) (175-34)

A. Side: Each side yard shall be a minimum of seven (7) feet.

B. Rear: Each rear yard shall be a minimum of twenty-five (25) feet.

C. Front: The required depth of the front yard shall be as provided in [Section 5.7.6](#). The main or front building facade and entrance for any single-unit residential structure, including duplexes and townhouses, shall be oriented toward the front yard of the property, unless an administrative [variance is granted pursuant to Section 175-147.1](#).

D. Accessory buildings shall be set back from side and rear property lines by no less than five (5) feet. No accessory building is permitted within a required front yard.

Section 6.7.9 - LOT COVERAGE (R-3) (175-35)

The maximum building coverage shall be forty percent (40%) unless as otherwise herein provided.

Section 6.7.10 - HEIGHT (R-3) (175-36)

A. Structures may be erected up to thirty-five (35) feet in height, except that:

1. The height limit for structures may be increased up to sixty (60) feet and up to five (5) stories, provided that required front, side and rear yards shall be increased one (1) foot for each foot of building height over thirty-five (35) feet.
2. Church spires, belfries, cupolas, monuments, municipal water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

B. Accessory buildings over one (1) story in height shall be at least ten (10) feet from any lot line. All accessory buildings shall be less than the main building in height.

Section 6.7.11 - CORNER LOTS (R-3) (175-37)

A. Of the two (2) or more yards of a corner lot with frontage along multiple streets, the front yard shall be established by the following criteria:

1. For new subdivision applications, the front yard shall be identified by the applicant on the subdivision site plan and approved by the Town on the approved final plat.
2. For new construction on existing corner lots where no front yard is designated on the approved final plat, the property owner shall determine the front yard on the Zoning Permit application and shall be approved by the Town on the approved Zoning Permit.
3. For existing structures, the front yard shall be the yard with frontage that the front façade of the primary building faces.
4. The approved front yard established by this Code Section shall only be changed by review and approval of a revised final plat approved by the Planning Commission. Such future requests shall be approved if the Planning Commission determines that the proposed front yard is consistent with other properties along the same street frontages.

B. The side yard setback on the side facing a side street shall be twenty (15) feet or more for main buildings, and thirty (20) feet or more for accessory buildings.

C. Each corner lot shall have a minimum width at the setback line of one hundred (50) feet.

D. The rear yard setback if facing a street shall be fifty (40) feet or more for both main and accessory buildings.

DIVISION 6.8 - PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT (PND)

Section 6.8.1 - STATEMENT OF INTENT (PND) (175-37.1)

Pursuant to Sections 15.2-2201 and 15.2-2286 of the Code of Virginia, 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.

Section 6.8.2 - EVALUATION CRITERIA (PND) (175-37.2)

Application for rezoning to a Planned Neighborhood Development District shall specifically demonstrate achievement of the following objectives. Each proposed Planned Neighborhood Development will be evaluated on the extent to which these objectives are achieved:

- A. Provides a variety of housing types and designs at a range of densities and costs in an orderly relationship to one another.
- B. Employs architectural, landscape and/or other design features to provide compatibility between different uses.
- C. Includes a network of circulation systems for various transportation modes that connect to the surrounding area.
- D. Conserves a minimum of 25% open space, incorporating a system of parks, open spaces, recreational facilities, and public amenities within the development which enhance the total plan of development.
- E. Efficiently utilizes land to protect and preserve natural features such as trees, streams, and topographic features.
- F. Provides a mechanism to relate the type, design and layout of proposed development to the specific characteristics of the particular parcel.
- G. Exhibits consistency with the Town's Comprehensive Plan and provides overall benefits to the Town.
- H. Demonstrates adequate capacity of public facilities and utilities to serve the development.
- I. Minimizes traffic impacts upon the surrounding traffic network.

Section 6.8.3 - PERMITTED USES (PND) (175-37.3)

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 units per structure;
5. Accessory buildings or uses as defined in Article 11;
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 **Division 8.5**;

11. Public libraries;

12. Schools; and

13. Churches.

14. Special childcare services.

15. Open space and conservation areas.

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

B. Planned neighborhood developments shall permit the following community and institutional uses under the terms set forth in **Section 6.8.9**, Density Bonus:

1. Day care centers; and

2. Community Halls

C. Planned neighborhood developments comprising 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; and

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 **Division 5.1** 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 **this Zoning Ordinance.**

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.

Section 6.8.4 - STANDARDS (PND) (175-37.4)

A. Planned neighborhood developments shall contain not less than 20 contiguous acres.

B. The project area must be held in single ownership or all property owners within the proposed district must participate in the application.

C. Planned neighborhood developments shall be served by municipal water and sewer service and municipal electric service if located within the Town's electric service area.

D. Allowable base residential density. Overall residential density shall not exceed the overall allowable residential density of the parcel or parcels involved prior to the re-zoning, dedicated to uses other than the commercial uses set forth in **Sections 6.8.3 B and C.** This base residential density may be increased at the Town Council's discretion up to a maximum of 6.0 dwelling units per acre.

E. Conservation lands. Lands with the following characteristics shall not be developed and shall not be platted as part of a residential, community, institutional or commercial lot within a planned neighborhood development: land within the 100-year flood plain; land with a natural slope in excess of 40 percent, and as determined by standard slope computation methods. These lands shall be designated on the plat for conservation purposes. Conservation lands may be used in computing the allowable base residential density. Nontidal wetlands may be platted, but shall be protected by preservation easements.

F. Management and ownership of common open space and facilities. All common spaces, properties, and facilities not deeded to the Town or other public entity shall be preserved for their intended purpose as specified on the approved plan. The developer shall provide for the establishment of a property owner's association conforming to the Virginia Property Owners' Association Act, Code of Virginia (1950) as amended, to ensure the maintenance of all common areas.

Section 6.8.5 - REVIEW AND CREATION OF THE PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT (PND) (175-37.5)

Whenever a tract of land meets the minimum requirements for classification as a PND district as stipulated herein, the owner may file an application with the Director of Planning, requesting rezoning to this classification. A preliminary conference with staff prior to such filing is required.

A. Concept Plan:

1. Procedure: The owner may present and file with the Director of Planning a Concept Plan for the project, along with the fee established in the schedule of fees, showing the rough layout of major roads within the project, and such areas within the project as may be planned for particular uses or mixtures of uses, as outlined below. Upon receipt, the Director of Planning shall forward the Concept Plan to the Planning Commission for review and comment. The Planning Commission may recommend to the Town Council approval, denial or modifications to the Concept Plan.

Upon review and recommendation by the Planning Commission the Director of Planning shall forward the Concept Plan to the Town Council for review and comment. The Town Council may approve, deny or approve conditionally with stated modifications. Approval of a Concept Plan is only an expression of apparent favor to be used in preparation of the PND Master Land Use Plan and does not authorize construction of improvements.

2. Submittal Requirements: The Concept Plan shall be prepared by a Virginia registered architect, landscape architect, land surveyor or engineer with seal and signature affixed to the plan. The plan shall be approximately to scale and clearly show the following:
 - a. Location map showing existing zoning and ownership of property and adjacent land;

- b. Identification of principal natural features and/or unique site design features;
- c. Relationship of the proposal with surrounding utilities and public facilities to serve the tract at the ultimate proposed densities;
- d. The location and size of the components of the PND, including the general layout of the road system within the project, location of use areas within the project planned for particular uses or mixtures of uses and their acreage, residential densities, and the interior open space system and preservation areas;
- e. Written description of the use areas;
- f. A statement demonstrating consistency with the Town of Front Royal Comprehensive Plan, suitability of the tract for the type and intensity of the activities proposed, the anticipated availability of adequate road networks, and the objectives stated in **Section 6.8.1**

B. Master Land Use Plan: Within six months of the Town Council's approval or approval conditioned upon modifications of the Concept Plan, the developer/owner may prepare and file an application for an amendment to the official zoning map to a Planned Neighborhood Development (PND) District, as set forth in this chapter, together with the established in the schedule of fees for rezoning and an engineered Master Land Use Plan for development presenting a unified and organized arrangement of buildings, service areas, parking, landscaped areas, recreation areas, open space and community facilities. All information submitted for consideration as a Master Land Use Plan shall be of sufficient clarity and scale to accurately identify the location, nature, and character of the proposed district. At a minimum the information contained on a Master Land Use Plan shall include:

- 1. A map of the boundaries of the proposed development site, showing bearings, dimensions at a scale not greater than one (1) inch to six hundred (600) feet;
- 2. A statement of existing property owner(s) and the proposed developer;
- 3. Names and addresses of adjacent property owners;
- 4. A vicinity map drawn at a scale of between one (1) inch equals two hundred 2,000 feet and showing the relation of the property.
- 5. Topographic map with contour lines at vertical intervals of not greater than five (5) feet at a minimum scale of one inch to 200 feet;

6. A site analysis map of existing conditions, including but not limited to the location and delineation of sensitive environmental features, any 100-year floodplain, watercourse, non-tidal wetlands, areas greater than 15-percent slope, and significant geologic formations or man-made features, existing structures and public facilities, historic landmarks, existing zoning on-site and surrounding areas;
7. The overall scheme of development including general layout of proposed land uses at a scale of one (1) inch equals two hundred (200) feet;
8. The location and acreage of recreation areas, open space and conservation areas, parks within the development;
9. The location, acreage and type of nonresidential areas and uses, and community/ public uses.
10. For each residential area shown, the total number of units in each by type and density;
11. An access and circulation plan showing the general location of all existing and proposed streets and easements of right-of-way, bridges, culverts, railroads, and utility transmission lines;
12. A traffic analysis and description of the base existing conditions and traffic volumes for the connecting external road network serving the site, projected average daily traffic for all new streets within the subdivision based on the proposed land uses and the traffic growth on adjacent highways, trip generation rates for peak hours by development and phase, and internal/external trip distribution and intersection and capacity analysis, identifying off-site access and traffic control improvements generated by the traffic demands of the proposed project at full development;
13. The proposed general location of all building areas and other improvements, except single-family and two-family dwellings and accessory buildings;
14. Notations showing the total gross development acreage, the net development acreage, acreage devoted to each land use category, the number of dwelling units and overall development density of the project;
15. General intent and schematic plans for water, sanitary sewer, storm water management, electrical services, and other utilities;

16. An approximate development schedule/phasing plan;
17. A general description of proposed agreements, provisions, or covenants that govern the use, maintenance, and continued protection of property to be held in common ownership.
18. Municipal boundaries through the property.
19. A narrative statement demonstrating consistency with the Town of Front Royal Comprehensive Plan, suitability of the tract for the type and intensity of the activities proposed, and the planning purposes to be achieved by the proposed PND as stated in **Section 6.8.1**, the design theme and major elements, principal site features, and environmental components integrated into the plan.
20. An impact assessment on the environment and on community facilities, services and taxes.
21. Demographic profile of proposed development (population, housing, school children and employment).
22. Other relevant data which may be used to evaluate the project.
23. A set of design guidelines describing the design principles for the site arrangement, standards for development including proposed yards, building heights, building architecture, open space characteristics, landscaping, hardscape, and buffering, and streetscapes related to scale, proportions, and massing at the edge of the district.

The design guidelines will establish the appearance standards to be used as the basis for the appearance review occurring concurrent with the site development review. The purpose of the appearance standards shall be:

- a. To encourage development that enhances the character of the Town;
- b. To enhance and protect property values by encouraging excellent design;
- c. To encourage architectural freedom, imagination and variety, and to encourage creative design solutions that will enhance the Town's visual appearance.
- d. To promote harmonious unified development within a planned neighborhood.

C. Demonstration of Purposes: The purposes shall be demonstrated in each of the components as follows:

1. Relationship of Building Site:

- a. The proposed non-residential development shall be designed and sited to accomplish a desirable view as observed from adjacent streets.
- b. Parking areas shall be enhanced with decorative elements, building wall extensions, plantings, berms, or other appropriate means to screen parking areas from view from the streets and adjacent properties.

2. Relationship to Adjoining Areas:

- a. Adjacent buildings of different architectural styles shall be made compatible by use of screens, sight breaks, materials and other methods.
- b. Landscaping shall provide a transition to adjoining property and screening between residential and commercial uses, and for off-street commercial parking and loading areas from public view.
- c. Texture, building lines and mass shall be harmonious with adjoining property. Monotonous texture, lines and mass shall be avoided.

3. Building Design and Landscaping: The applicant shall provide a narrative for all building types describing compliance with the following, including dimensional and qualitative specifications.

- a. Quality of design and landscaping, and compatibility with surrounding uses for proposed nonresidential development. Architectural style is not restricted.
- b. Materials and finishes of good, sound architectural quality that are harmonious with adjoining buildings.
- c. Suitable materials for the type and design of the building. Materials that are architecturally harmonious shall be used for all exterior building walls and other exterior building components.
- d. Building components, such as windows, doors, eaves, and parapets with appropriate proportion and relationships to one another.
- e. Use of harmonious colors and compatible accents.
- f. Mechanical equipment or other utility hardware on roof, ground, or buildings screened from view with materials harmonious with the building.

- g. Non-Monotonous design with visual interest provided by variation in detail, form, and siting.
- h. Exterior lighting used as part of the architectural concept. Fixtures, standards, and all exposed accessories harmonious with the building design.
- i. Landscaping treatment creating unity of design, enhance architectural features, strengthen vistas, and provide shade.
- j. Plant materials selected for interest in its structure, texture, and color and for its ultimate growth using indigenous plants and those that are hardy, harmonious to the design and of good appearance.
- k. Protection of plant materials by appropriate curbs, tree guards, or other devices in locations which are susceptible to injury by pedestrian or vehicular traffic.

4. Signs:

- a. Signs shall conform to the provisions of **Article 10 of this chapter** for residential districts and this section, except that signs erected on poles shall not be permitted.
- b. Every sign shall be of appropriate scale and proportion in relation to the surrounding buildings.
- c. Every sign shall be designed as an integral architectural element of the building and site to which it relates.
- d. The colors, materials, and lighting of every sign shall be harmonious with the building and site to which it relates.
- e. The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's principal message and shall be in proportion to the area of the sign.
- f. Each sign shall be compatible with signs on adjoining plots or buildings.
- g. Logos shall conform to the criteria for all other signs.
- h. A coordinated, unified sign plan shall be utilized for direction and information within the PND.

5. Miscellaneous Structures: Miscellaneous structures and hardware shall be part of the architectural concept of the project. Materials, scale and colors shall be compatible with the building and surrounding uses.

D. The Planning Commission shall proceed in general as for any other rezoning application as required in the ordinance, and recommend to the Town Council to approve, conditionally approve or disapprove the application.

E. The Town Council shall proceed in general as for any other rezoning application as required in the ordinance. Subsequent to the public hearing and a recommendation from the Planning Commission, the Town Council shall approve, conditionally approve or disapprove the application for a Master Land Use Plan.

F. Upon approval of a Master Land Use Plan for development the official zoning map shall be amended to indicate the property as "PND - Planned Neighborhood Development". Once the Town Council has approved the Master Land Use Plan, all accepted proffers shall constitute conditions, enforceable by the Zoning Administrator.

Section 6.8.6 - OPEN SPACE STANDARDS (PND) (175-37.6)

A. Planned neighborhood developments shall reserve a minimum of 25 percent of the acreage of the parcel as dedicated natural open space.

B. Up to 25 percent of this requirement may be satisfied with land covered by water or by stormwater detention or retention basins (dry ponds shall not be permitted as open space), if the Town Council determines that such a water body or basin is suitable for the purposes set forth in [Section 6.8.1](#). The dedicated open space shall not be included in subdivision lots. Dedicated open space shall include the land necessary to provide access to the open space.

C. Land characterized as conservation lands in [Section 6.8.4.E](#) of this ordinance may be used to fulfill the minimum open space requirement up to a maximum of 50 percent of the total dedicated natural open space within a planned neighborhood development.

D. Dedicated open space shall have shape, dimension, character, location, and topography to accomplish the open space purposes specified in [Section 6.8.1](#) and to ensure appropriate public access.

E. Dedicated open space land shall be shown on the planned neighborhood development Concept Plan and Master Land Use Plan and shall be labeled to specify that the land has been dedicated to open space purposes. The plans and final plat shall specify that the open space land shall not be further

subdivided or developed and is permanently reserved for natural open space purposes.

F. The open space shall be conveyed by the applicant as a condition of plat approval and may be conveyed by any of the following means as determined by the Town Council:

1. Deeded in perpetuity to the Town of Front Royal or other governmental agency for the purposes herein.
2. Reserved for common use or ownership of all property owners within the development by covenants in the deeds approved by the Town Attorney. A copy of the proposed deed covenants shall be submitted with the application.
3. Deeded in perpetuity to a private, non-profit, tax-exempt organization legally constituted for conservation purposes under terms and conditions that ensure the perpetual protection and management of the property for conservation purposes. A copy of the proposed deeds and relevant corporate documents of the land trust shall be submitted with the application.
4. Deeded to a property owner's association within the development upon terms and conditions approved by the Town Attorney that will ensure the continued use and management of the land for the intended purposes. The formation and incorporation by the applicant of one or more appropriate property owners' associations shall be required prior to plat approval. A copy of the proposed property owner's deed and the by-laws and other relevant documents of the property owner's association shall be submitted with the application. The following shall be required if open space is to be dedicated to a property owner's association:
 - a. Covenants providing for mandatory membership in the association and setting forth the owner's rights, interests, and privileges in the association and the common land, must be included in the deed for each lot or unit;
 - b. The property owners' association shall have the responsibility of maintaining the open space and operating and maintaining recreational facilities;
 - c. The association shall have the authority to levy charges against all property owners to defray the expenses connected with the maintenance of open space and recreational facilities; and
 - d. The applicant shall maintain control of dedicated open space and be responsible for its maintenance until 75% of occupancy permits for residential units have been issued and development is sufficient to support the association.

G. The owner/developer shall convey or restrict the open space land by a deed instrument reviewed and approved by the Front Royal Town Attorney to ensure that the land will be held and managed in perpetuity for open space purposes and shall not be further developed.

H. If the planned neighborhood development is developed in phases, the provision of dedicated natural open space shall be phased with the construction of dwelling units and other improvements to ensure that a proportionate share of the total dedicated open space is preserved with each phase.

I. Streets and other impervious surfaces shall be excluded from the calculation of the minimum dedicated open space requirement; however, lands occupied by bike paths, landscaped grounds, or similar common recreational development (excluding tennis courts, golf courses, and buildings) may be counted as dedicated open space, provided that impervious surfaces constitute no more than 5 percent of the total required open space.

J. Open space shall be permanently dedicated for one or more of the following uses: natural resource conservation, recreational facilities, wetland and water course preservation, selective forestry, wildlife habitat, undeveloped parklands or scenic preservation.

Section 6.8.7 - OFF-STREET PARKING (PND) (175-37.7)

A. The number, design, location and construction of parking lots, bays, spaces and drives shall conform to the applicable requirements of Sections 9.10.2 and 9.10.3 Zoning Ordinance and Section 148-48 of the Subdivision and Land Development Ordinance. Parking for commercial land uses shall also comply with Section 175-45 of the Front Royal Town Code.

1. Parking areas shall be planted with trees a minimum of two inches in caliper measured six inches above ground level, so that there is at least one tree per ten parking spaces within the parking lot. Such trees must be protected by curbing or other means against damage by vehicles. A minimum planting area, equivalent to 162 square feet per tree, shall be provided.
2. Parking areas shall have a landscaped island at each end of each row of vehicle spaces. No more than 15 spaces shall be laid out without an intermediate landscape island. Such planting islands shall be not less than nine feet wide in the direction parallel to the row and not less than 18 feet long in the direction perpendicular to the row. Each such island shall have a suitable poured-in-place concrete curb, or approved equal, and shall be planted with grass or ground cover. All hydrants shall be located in such islands.

Section 6.8.8 - LANDSCAPING AND SCREENING (PND) (175-37.8)

A. Screening of Uses: Commercial, institutional, and community uses shall be screened from residential uses within and abutting the planned neighborhood development by a buffer yard 20 feet in width containing a minimum of three canopy trees, six understory trees, and nine shrubs per 100 feet of length (or an amount creating an equivalent effect and approved with the landscape plan) along the perimeter of the lot line abutting a residential use.

B. Screening along Public Roadways: Uses within a planned neighborhood development which abut an arterial street as defined in **Section 148-26(C)(3)** shall be screened by a buffer yard of 20 feet in width containing a minimum of three canopy trees, six understory trees and nine shrubs per 100 feet of frontage (or an amount creating an equivalent effect and approved with the landscape plan). Canopy trees shall be deciduous shade trees planted with a minimum of two and one-half inches in caliper at six inches above the ground with a mature height of at least 35 feet. Understory trees shall be deciduous shade or fruit trees planted at minimum one and ½ inch in caliper at six inches above the ground with a mature height of at least 12 feet.

C. Existing Vegetation: Notwithstanding any other provisions of this ordinance, existing vegetation shall be retained and maintained to the extent feasible in order to permit existing vegetation to fulfill or contribute to buffer and screening requirements. In lieu of strict compliance with the above buffer yard requirements, a developer may submit a detailed landscaping plan that will afford a degree of buffering and screening comparable to that provided by these regulations in making use of existing and new vegetation. For developments utilizing more than 10 percent existing vegetation as a density bonus credit, a Certified Arborist shall provide a detailed description of the existing vegetation with notation of specimen trees, to certify compliance. The Arborist report shall be accompanied by the proposed measures for ensuring preservation during and after construction in accordance with the preservation criteria stated in the Town of Front Royal Landscape Preservation and Planting Guide.

D. Screening of Refuse Collection Facilities: Uses, except single-family homes within a planned neighborhood development shall provide secure, safe, and sanitary facilities for the storage and pickup of refuse. Such facilities shall be convenient to collection and shall be appropriate to the type and size of use being served. All refuse storage facilities shall be screened on three sides by a solid wooden fence or masonry wall and a tight evergreen hedge. The fourth side shall be angled to minimize the view of the refuse collection facility or shall be screened by an opaque gate made of durable materials. The screening shall

be of sufficient height and design to effectively screen the facility from the view from nearby residential uses, streets, adjacent properties, and recreational facilities.

Section 6.8.9 - DENSITY BONUSES (PND) (175-37.9)

Residential density bonuses up to a density of 6.0 dwelling units per acre dedicated to uses other than the commercial uses set forth in Sections 6.8.3 (B) and (C) may be approved and granted at the discretion of the Town Council upon a finding that a proposed density bonus promotes the purposes of the Planned Neighborhood Development and provides additional public benefit. Each of the following amenities and any other amenities or proffered conditions will be evaluated by the Town Council and used in negotiations with the applicant:

A residential density of up to 6.0 dwelling units per acre acceptable to both the applicant and the Town Council.

A. Dedicated Open Space: In exchange for increasing the dedicated natural open space beyond the required 25 percent, the project may qualify for a density bonus, provided the natural open space is increased by a minimum of 5 percent of the developable acreage. A bonus shall not be permitted for preservation areas or without sufficient justification of demonstrated benefit to the Town. Priority shall be given to protecting existing stands of mature trees.

B. Bikeways/Greenways: A system of bike paths and pedestrian greenways may qualify for a density bonus. In order to qualify, the bike paths or greenways shall form an integrated system of access within the development to principal off-site destinations, and be integrated with other planned or existing systems (i.e., Happy Creek Trail, Conservancy Park Trail, etc.).

C. Walk-Up Housing: A dwelling unit located above the ground floor of a structure that contains a non-residential use on the ground floor may be applied toward the allowable base density as one-half of a dwelling unit.

D. Community and Institutional Uses:

Day Care Center: In a PND with 75 or more residential units, a parcel may be designated, dedicated and developed for use as a day care center. This lot shall have a minimum of 100 square feet per residential unit within the PND, and be developed in accordance with the requirements of Section 8.1.2 of this chapter.

Community Hall: In a PND with 100 or more residential lots or units, a community hall may be constructed, with an enclosed area of no less than 25 square feet for each residential unit or lot.

E. Developed Recreational Facilities: Such facilities may include, but shall not be limited to, tot lots and pocket parks, ball fields, courts or other athletic facilities, swimming pools, public pedestrian plazas or arcades with benches, water fountains and reflecting pools, terraces, sculptures, public art, involving unique design features and amenities. To be considered for a density bonus, such recreational facilities shall be developed at a minimum ratio of three acres per 100 units, in addition to the minimum requirement in Section 15.

F. Enhanced streetscapes: Streets s developed with widened sidewalk area, substantial landscaping above the required minimum, approved traffic calming measures, pedestrian-oriented features, and bicycle parking facilities may be considered for a density bonus.

G. Other: Additional density bonuses may be granted based upon such other innovative factors as may be proposed by the applicant and accepted by the Town Council in its sole discretion.

Section 6.8.10 - TRAFFIC IMPROVEMENTS (PND) (175-37.10)

Where a proposed planned neighborhood development borders on an existing street whose right-of-way, traffic carrying capacity, or sight lines are inadequate to safely and efficiently accommodate the traffic generated by the proposed development, the Town Council shall require the applicant to dedicate land for needed realignment or widening, and to undertake or fund the needed street improvements.

Section 6.8.11 - DIMENSIONAL STANDARDS (PND) (175-37.11)

A. Building Separation: No structure under 30 feet in height shall be located within 15 feet of any other structure. Buildings higher than 30 feet shall be separated by a distance equivalent to 50 percent of the height of the tallest building.

B. Height Limits: The height limits within a planned neighborhood development shall be the same as the height limits set forth in **Section 6.7.10** for structures in the R-3 residential district.

C. Except as otherwise specifically required by **Sections 6.8.1** through **6.8.18**, modifications to the following design standards may be authorized by the Town

as part of the rezoning or conditional rezoning application process, provided they are specifically approved, with the modified design standards taking precedence over the design standards of Chapter 148 and Chapter 175 of the Town Code.

1. Lot Area
2. Lot Width
3. Setbacks and Yard Area
4. Building Height
5. Building Separation

Section 6.8.12 - PERIMETER BOUNDARY (PND) (175-37.12)

A. No portion of a building, structure, or parking area, shall be located within 55 feet of abutting property that is not part of the proposed planned neighborhood, unless the zoning of the adjacent property permits uses similar to the proposed Planned Neighborhood District use to be located abutting the common boundary. Where proposed PND uses are similar to uses permitted on the adjacent property, the minimum separation shall be that same as required for the zoning district on the adjacent property.

B. No portion of a non-residential use, multi-family residential use, community use, institutional use or active recreational use shall be located within 100 feet of abutting property that is not part of the proposed planned neighborhood, unless the abutting property is developed as a Planned Neighborhood District, whereas the separation shall be equal to the existing yard requirement on the abutting Planned Neighborhood District property.

C. The minimum front yard requirement of the R-I zoning district shall apply for a minimum of 200 feet from the border of a planned neighborhood development and adjoining property that share frontage on the same side of a street.

Section 6.8.13 - MULTI-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS (PND) (175-37.13)

Multi-family housing. Such housing shall be either townhouses, multiplexes or Retirement Living Facilities.

A. Townhouses: The maximum number of dwelling units permitted within a townhouse structure shall be eight. Townhouse structures shall be developed in compliance with the following requirements:

1. There shall be a minimum of two and one-half parking spaces for each townhouse unit. The shared use of such overflow parking with other uses and activities is encouraged.
2. Walkways of four feet in width, constructed of concrete, stone, brick or similar masonry material, (not including asphalt), shall be installed from parking areas to townhouse units served by such parking areas.
3. The facades of townhouse units shall have variation in materials, setbacks, and design so that abutting units will not have the same or essentially the same architectural treatment of facades and rooflines.

B. Multiplex Structures: The maximum number of dwelling units permitted within a multiplex structure shall be thirty (30). Multiplex structures shall be developed in compliance with the following requirements:

1. There shall be a minimum of two and one-half parking spaces for each unit. The shared use of such overflow parking with other uses and activities is encouraged.
2. Walkways of four feet in width, constructed of concrete, stone brick or similar masonry material, (not including asphalt), shall be installed from parking areas to multiplex units served by such parking areas.
3. The minimum size of each individual unit shall be no less than 600 net square feet.

C. Retirement Living Facilities: The structures shall be developed in compliance with the following requirements:

1. The facilities shall be developed as either condominium or cooperative units.
2. There shall be no less than two parking spaces for each unit. The shared use of such overflow parking with other uses and activities is encouraged.
3. Walkways of four feet in width, constructed of concrete, stone, brick or similar masonry material (not including asphalt), shall be installed from parking areas to the retirement units served by such parking areas.

D. Accessory buildings shall be limited to one enclosed storage building not exceeding seven feet in height nor exceeding ten feet in length by ten feet in width.

Section 6.8.14 - UTILITIES (PND) (175-37.14)

Utilities, such as electric transmission cable television lines, and telephone lines, serving the planned neighborhood subdivision shall be installed underground.

Section 6.8.15 - ACCESSORY STRUCTURES (PND) (175-37.15)

Accessory structures shall not be located within any front yard or within five feet of any other structure and shall comply with the requirements of Town Code **Section 6.6.10.D.**

Section 6.8.16 - NEIGHBORHOOD RECREATIONAL USES (PND) (175-37.16)

A minimum of 335 square feet for each residential unit shall be dedicated and developed for neighborhood recreational use to serve the recreational demands generated by the planned neighborhood development. Recreational facilities shall be specifically included in the development schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.

Section 6.8.17 - COMMERCIAL USES DEVELOPMENT STANDARDS (PND) (175-37.17)

A. The total acreage of commercial users in Planned Neighborhood Development Districts shall comply with the following requirements.

Acreage of PND	Total Acreage of Commercial Uses	
20 Acres – 50 Acres	No Minimum	5% Maximum
51 Acres – 100 Acres	5% Minimum	10% Maximum
101 Acres – Plus	5% Minimum	15% Maximum

The developer/owner shall provide specific justification of commercial areas proposed in excess of 5% of the total acreage, identifying specific impacts of the commercial development and demonstrating adequate mitigation of such impacts.

B. Commercial uses shall be designed with the intention of serving the immediate needs and convenience of residents within and immediately surrounding the Planned Neighborhood Development.

C. Commercial uses shall not receive a certificate of occupancy until building permits have been issued for fifty percent of the residential units within the Planned Neighborhood Development.

D. Commercial structures shall comply with the height requirements in this chapter **Section 6.10.5.**

E. Commercial uses shall comply with the Performance Standards stated in **Sect. 6.10.7 of this chapter.**

F. Parking for commercial uses shall be in accordance with this chapter **Section 9.10.2.**

Section 6.8.18 - DEVELOPMENT REVIEW (PND) (175-37.18)

Within one year of approval of a Master Land Use Plan for development of a Planned Neighborhood, prior to the approval of building permits, the applicant shall prepare and submit for review and approval an engineered Development Plan, along with the fee as established in the approved schedule of fees. The applicant may petition the Town Council for an extension of time for submission of a development plan, provided such extension is requested at least 20 days prior to the expiration of the one-year period. The Town Council may grant an extension upon demonstration of good cause for up to one year.

A. Development Plan: A Development Plan shall be submitted for all proposed commercial, residential, community facility, institutional, or multi-family residential development within a Planned Neighborhood Development. The Development Plan shall be drawn to scale and shall be accompanied by a narrative, as appropriate. The Development Plan shall comply with the provisions of **Divisions 9.5, 9.6, and 9.7 and Section 148-20** of the Code of Front Royal, Virginia, unless otherwise provided for herein, and the following:

1. All information required for the master plan submission.
2. A development schedule. If phasing is proposed, indication of the proposed phasing schedule, along with a plan indicating phased sections.
3. A landscape plan prepared by a certified landscape architect or land surveyor shall be submitted with each site development plan application. The development plan shall identify proposed trees, shrubs, ground cover, natural features such as rock outcroppings, other landscaping elements and planting details. When existing natural growth is proposed to remain, the applicant shall include in the plans a description of the landscaping to be retained, a statement from a certified arborist that the material is desirable and healthy, and the proposed methods to protect the retained trees and growth during and after construction.
4. Proposed number of dwelling units by residential types, and the area of non-residential buildings by use type (retail, office, service, etc.).
5. Calculation of the percentage of land area covered by the various land uses, including landscaped areas.
6. Proposed circulation plan showing patterns of vehicular, pedestrian, or other traffic, parking areas (including the number of parking spaces).
7. Notes identifying any deviations from the approved master plan.

B. Development Plan Revisions, Modifications: After approval, all subsequent plans, plats, and permits for the PND shall be in substantial compliance with the approved PND Master Land Use Plan. Minor adjustment to the Master Land Use Plan may be approved administratively provided there is no increase in the overall density or number of housing units in the development and no reduction in useable open space. Revisions or modifications which substantially change the development, design, density, concept, uses, or magnitude shall cause the revised plan to be referred back through the review process as if it were an original submission.

Revisions to the Site Development Plan may be proposed by the applicant prior to the Town Council's review. The Town Council at its discretion may consider the application with minor revisions as proposed or may return the plan to the Planning Commission for further review.

C. Amendments to Planned Development Districts: Land area may be added to an established PND if it adjoins and is demonstrated to become an integral part of the approved development. The procedures for any addition of land shall be the same as for an original application and all requirements shall apply.

D. Final Plats: Final Plats shall be submitted concurrently with the Site Development Plan. Except as provided herein, Planned Neighborhood Development plats shall comply with the Zoning Ordinance, Chapter 175 and the Subdivision and Land Development Ordinance, Chapter 148 of the Town of Front Royal, Virginia, except that reasonable waivers and variances as described in Chapter 148 may be granted by the Town Council in order to facilitate creative design consistent with good community planning standards.

E. Recordation of Documents: Any applicable covenants, governance documents and easements shall be recorded in the Warren County Circuit Court Clerk's office within six (6) months of approval of the Final Plat.

F. Appearance Review: Appearance Review by the Planning Commission shall be required for all proposed commercial, community, institutional, or multi-family residential development within a planned neighborhood development to ensure conformity with the appearance standards established by the approved design guidelines for the Planned Neighborhood Development. Such review shall occur in conjunction with the Site Development Review. Compliance with the requirements for Appearance Review shall be in addition to all other requirements.