

PLANNING COMMISSION WORK SESSION
Wednesday, March 18, 2026 @ 6 PM
Town Hall – 2nd Floor, East Conference Room

AGENDA

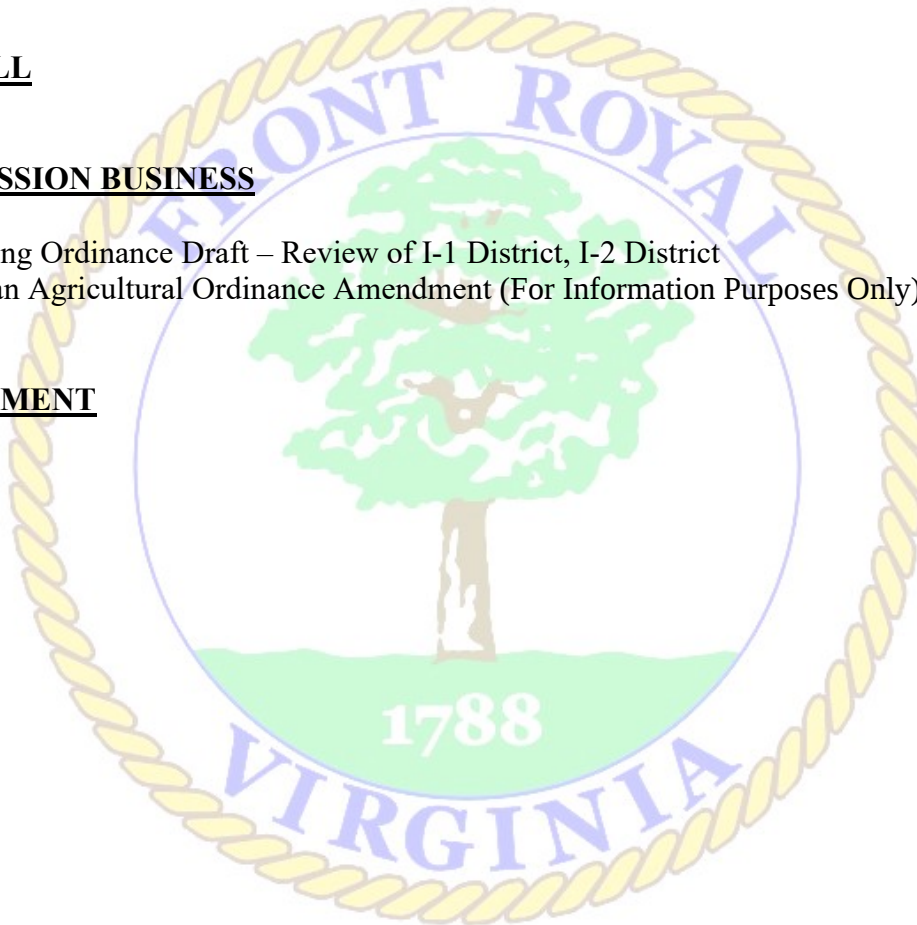
CALL TO ORDER

ROLL CALL

WORK SESSION BUSINESS

1. Zoning Ordinance Draft – Review of I-1 District, I-2 District
2. Urban Agricultural Ordinance Amendment (For Information Purposes Only)

ADJOURNMENT



Light Industrial Manufacturing - The processing, fabrication, assembly, treatment, or packaging of materials, goods, or products where operations are primarily indoors and generate minimal off-site impacts. Such uses do not produce significant levels of noise, vibration, smoke, dust, odors, heat, glare, or hazardous emissions detectable at or beyond the property line. Typical characteristics include; Small-scale production or assembly, Limited heavy equipment, No bulk storage of hazardous materials, Truck traffic primarily by delivery vans or small commercial vehicles. Examples may include electronics assembly, apparel manufacturing, small-scale food production (without rendering or heavy processing), printing, and research and development facilities.

Medium Industrial Manufacturing - The processing, fabrication, assembly, or treatment of materials and products that may involve heavier equipment, moderate truck traffic, or limited outdoor storage, and may generate measurable but controlled levels of noise, vibration, odors, dust, or emissions. All impacts must remain within applicable regulatory standards and not create a nuisance beyond the property line. Typical characteristics include: Use of industrial machinery, Regular freight truck activity, Possible outdoor storage screened from public view, Limited processing of raw materials. Examples may include metal fabrication, commercial bakeries, woodworking shops, plastics manufacturing, beverage production, and equipment manufacturing.

Heavy Industrial Manufacturing - The processing, refining, smelting, assembly, or treatment of raw materials or products that typically involves large-scale operations, significant mechanical or chemical processes, substantial truck or rail traffic, outdoor storage of materials, or the use of hazardous materials. These uses may generate higher levels of noise, vibration, smoke, dust, odors, glare, heat, or emissions and therefore require separation from sensitive land uses. Typical characteristics include: Large industrial structures or complexes, Outdoor processing and storage, Bulk handling of raw materials, Rail spurs or high-volume freight traffic, Use or production of hazardous or flammable materials. Examples may include petroleum refining, steel production, chemical manufacturing, pulp and paper mills, concrete batch plants, and large-scale food processing plants.

Incidental - A use, structure, or activity that is clearly subordinate, minor in scale, and secondary to the principal use of a property. The activity cannot compete with or overshadow the main use of the property and not exceed the intensity, area, or operational impact of the principal. The use does not function independently or become the primary use of the property.

Examples of Each Type of Manufacturing

Heavy Manufacturing

Heavy manufacturing involves large-scale production, heavy machinery, high energy use, and large raw materials like metals or chemicals.

Examples:

- Steel production
- Automobile machinery manufacturing
- Shipbuilding
- Aircraft manufacturing
- Oil refining / petrochemicals
- Heavy machinery manufacturing

Characteristics

- Large to Massive factories
- Very expensive equipment
- Large raw materials (steel, chemicals)
- High energy and/or water consumption

Medium Manufacturing

Medium manufacturing uses moderate-sized equipment and materials. Products are usually assembled from components rather than massive raw materials.

Examples:

- Appliance manufacturing
- Furniture manufacturing
- Electronics production and assembly
- Electrical and power equipment manufacture
- Packaging equipment manufacturing
- Plastic products manufacturing

Characteristics

- Moderate factory size
- Mix of automated and manual processes

- Moderate capital investment

Light Manufacturing

Light manufacturing focuses on small consumer goods with lower energy use and lighter materials.

Examples:

- Clothing and textile manufacturing
- Food processing
- Toy manufacturing
- Cosmetics production
- Small electronics or accessories

Characteristics

- Smaller machinery
- Lower raw material weight
- Often labor-intensive

Type	Typical Products	Capital Required	Scale
Heavy	Steel, ships, airplanes	Very high	Large Plants
Medium	Appliances, furniture, electronics	Moderate	Medium factories
Light	Clothing, food, toys	Lower	Smaller facilities

DIVISION 6.13 - LIMITED INDUSTRIAL DISTRICT (I-1)

Section 6.13.1 - STATEMENT OF INTENT (I-1) (175-54)

The I-1 Limited Industrial District is intended to establish appropriate areas within the Town for ~~small-scale~~ Light Industrial and ~~advanced-selected~~ Medium Industrial manufacturing, technology, and employment-related uses, while prohibiting residential development. The district is designed to encourage the development of well-planned industrial parks and to ensure that industrial operations are conducted in a manner that minimizes adverse impacts on adjoining properties. To this end, the district provides performance standards, controls, and regulations governing industrial and employment uses and structures, consistent with the purposes of this Article and the goals and policies of the Front Royal Comprehensive Plan.

Section 6.13.2 - USES PERMITTED BY RIGHT (I-1) (175-55)

- A. Light industrial uses shall be permitted by right within the LI District.
 - 1. Uses consist of lower-intensity industrial operations that involve the manufacturing, processing, assembly, packaging, storage, or distribution of goods using relatively small-scale equipment and controlled production processes. These activities are generally conducted within enclosed buildings and involve limited outdoor operations.
 - 2. Light industrial activities typically generate low levels of noise, vibration, dust, odor, glare, and emissions, and produce limited heavy vehicle traffic. Materials handled are generally finished or semi-finished products rather than bulk raw materials. Operations are characterized by clean, controlled production environments with minimal off-site impacts and limited storage or processing occurring outdoors.

Section 6.13.3 - MISCELLANEOUS ALLOWED USES:

Accessory uses, structures and buildings.

~~Home occupations.~~

Open Space

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~~ uses determined by the Zoning Administrator to be substantially similar in character, intensity, and impact to a permitted use.

Section 6.13.4 – PROHIBITED USES

The following uses are prohibited within the I-1 Limited Industrial District:

Heavy Industrial Manufacturing as defined by this Ordinance.

Petroleum refining, chemical manufacturing, or industrial solvent production.

Rendering plants, slaughterhouses, or animal byproduct processing facilities.

Pulp and paper mills, cement plants, asphalt plants, or similar bulk material processing facilities.

Mining, quarrying, sand and gravel extraction, or stone crushing operations.

Hazardous waste treatment, storage, or disposal facilities.

Solid waste landfills, incinerators, or waste-to-energy plants.

Scrap metal shredding operations or bulk recycling processing facilities.

Explosives or industrial gas manufacturing.

Any industrial use that involves outdoor processing of raw materials or bulk storage of hazardous materials as a principal activity.

Section 6.13.53 - USES PERMITTED BY ~~SPECIAL PERMIT~~ SPECIAL USE PERMIT (I-1) (175-56)

- A. The following uses are permitted within the I-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 I-1 District:
1. Medium industrial uses that consist of moderate-intensity industrial operations that involve larger equipment, heavier materials, or greater volumes of production than light industrial activities. These operations may involve regular freight movement, outdoor service areas, material storage, or mechanical processes associated with manufacturing, fabrication, or processing activities.
 2. Medium industrial operations may generate noticeable levels of noise, vibration, truck traffic, or other operational effects, but such impacts are generally typical within industrial environments and can be reasonably managed through site layout, building placement, screening, and operational practices. Activities in this category often

involve larger facilities, more substantial infrastructure, and higher levels of material handling than light industrial uses.

Section 6.13.6 MISCELLANEOUS ALLOWED USES:

Any use permitted under [Section 6.13.2](#), or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of [Section 6.13.2](#), 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.

Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions prescribed in [Division 9.108](#).

Conservation Areas

Mini-warehouses

Parking Structures

Section 6.13.74 - AREA REGULATIONS (I-1) (175-57)

The minimum lot area shall be ten thousand (10,000) square feet.

Section 6.13.85 - SETBACK (I-1) (175-58)

Buildings shall be located twenty (20) feet or more from any street right-of-way which is fifty (50) feet or greater in width or forty-five (45) feet or more from the center line of any street right-of-way less than fifty (50) feet in width.

Section 6.13.96 - FRONTAGE AND YARDS (I-1) (175-59)

A. The minimum lot width shall be sixty (60) feet.

B. Each side and rear yard shall be a minimum of ten (10) feet. The side and rear yard adjoining or adjacent to a residential district shall be forty (40) feet.

Section 6.13.107 - HEIGHT (I-1) (175-60)

Buildings may be erected up to a height of forty-five (45) feet. Chimneys, flues, cooling towers, flagpoles, radio or communication towers or their accessory facilities not normally occupied by workmen are excluded from this limitation. Parapet walls are permitted up to four (4) feet above the height of the building on which the walls rest. [A waiver to the height requirement may be obtained by application and approval by Special Use Permit \(SUP\).](#)

Section 6.13.118 - LOT COVERAGE (I-1) (175-61)

Buildings or groups of buildings with their accessory structures may cover up to seventy percent (70%) of the area of the lot.

Section 6.13.129 - CORNER LOTS (I-1) (175-62)

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 (20) feet or more for main buildings, and twenty (20) 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.

Section 6.13.13 – PERFORMANCE STANDARDS (I-1)

The following performance standards shall apply to all uses within the I-1 Industrial District:

A. Vibration:

1. Ground-borne vibration shall not exceed 0.02 inches per second peak particle velocity (PPV) at the property line when adjoining residential districts.
2. Vibrations from temporary construction activities and vehicles entering or leaving the property (such as trucks or rail cars) are excluded. Vibrations from on-site equipment or vehicles operating primarily on-site are included.
3. Vibrations occurring for no more than five (5) minutes in any one (1) day between the hours of 7:00 a.m. and 7:00 p.m. shall not be deemed continuous or frequent.

B. Glare:

Any operation or activity producing glare or intense light shall be conducted so as not to create a glare effect visible from any adjoining property or public street. All direct illumination shall be shielded and arranged to prevent light trespass beyond the lot lines.

C. Heat:

1. Heat generated by an industrial use shall not cause a temperature increase on any adjacent property in excess of five degrees Fahrenheit (5°F).

2. Heat from an industrial use shall not cause a temperature increase in any stream, wetland, lake, or other body of water at or beyond the property line that would adversely affect aquatic life.

D. Liquid or Solid Wastes:

1. No use shall discharge liquid or solid waste into any public sewer, private sewage system, public waters, or onto the ground except in full compliance with applicable federal, state, and local regulations.
2. Outdoor storage of solid waste shall be prohibited except in covered, leak-proof containers and shall not create conditions conducive to the breeding of rodents or insects.
3. All discharges into any public sewer shall comply with the provisions of Section 134-2, et seq.

E. Smoke and Particulate Matter:

1. All operations, including open storage and material handling, shall be conducted so that dust, smoke, or particulate matter is not emitted in visible quantities beyond the property line.
2. All uses shall comply with applicable state and federal air pollution control regulations.

F. Toxic and Hazardous Materials:

1. The storage and use of toxic or hazardous materials shall comply with all applicable federal, state, and local laws and shall be reported to the Fire Department as required for emergency response planning.
2. Activities involving the storage or use of materials subject to detonation or explosion shall not be permitted unless specifically authorized and conducted in full compliance with applicable regulations.
3. The manufacture of explosives shall be prohibited in the I-1 District.

G. Odor:

1. Odor emissions shall not exceed detectable levels beyond the property line as measured using ASTM E544 or equivalent field olfactometry standards.
2. An odor evident no more than once in any one (1) day for a period not exceeding five (5) minutes shall not be deemed continuous or frequent.

H. Noise:

1. No use shall generate noise that exceeds sixty-five (65) dB(A) at any property line adjoining a nonindustrial district between the hours of 7:00 a.m. and 7:00 p.m., or fifty-five (55) dB(A) between 7:00 p.m. and 7:00 a.m.

2. Where technical evidence of violation is warranted, sound levels shall be measured at locations specified in Section 6.13.9 using a sound level meter manufactured in accordance with standards of the American Standards Association, using the A and/or C weighted scale as determined by expected noise band violation.
3. Noise resulting from temporary construction, repair, remodeling, demolition, grading, or utility installation activities shall be exempt from the industrial noise limits of this Section, provided that:
 - a. Such activities occur only between 7:00 a.m. and 7:00 p.m., Monday through Saturday;
 - b. Noise levels do not exceed 85 dBA at the property line;
 - c. Equipment is maintained in good working order and equipped with manufacturer-recommended mufflers; and
 - d. Construction activity exceeding thirty (30) consecutive days at the same site shall comply with the standard industrial noise limits unless extended by the Zoning Administrator for good cause.
4. The zoning authority may require compliance testing where industrial activities produce continuous, intermittent, impulsive, or tonal noise using the table below.

<u>Octave Band Cycles Per Second</u>	<u>Maximum Permitted Sound Level in dB(A)</u>	<u>Maximum Permitted Sound Level in dB(C)</u>
-	-	-
<u>0 to 75</u>	<u>67</u>	<u>82</u>
<u>75 to 150</u>	<u>62</u>	<u>74</u>
<u>150 to 300</u>	<u>55</u>	<u>62</u>
<u>300 to 600</u>	<u>48</u>	<u>51</u>
<u>600 to 1200</u>	<u>43</u>	<u>44</u>
<u>1200 to 2400</u>	<u>38</u>	<u>34</u>
<u>2400 to 4800</u>	<u>35</u>	<u>34</u>
<u>Above 4800</u>	<u>32</u>	<u>32</u>

I. Screening:

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

2. Outdoor storage, display, or sale of goods shall be incidental to the primary use and shall not exceed ten percent (25%) of the gross floor area of the principal structure.
3. All outdoor storage areas shall be screened from view from any public street and any adjacent residential district by a solid masonry wall, uniformly painted solid fence, landscaped berm, or dense evergreen plantings at least six (6) feet in height at the time of planting.
4. No outdoor storage shall be permitted within any required yard abutting a residential district.
5. All sites and parking areas shall be landscaped in accordance with applicable provisions of this chapter.

Section 6.13.14 – LOCATIONS FOR DETERMINATION OF PERFORMANCE STANDARDS (I-1)

Measurements to determine compliance with performance standards shall be made at ground level or at habitable levels of buildings and at the property boundary of the parcel where the use is located. Where the property abuts a residential district, measurements shall be taken at the shared boundary line.

Section 6.13.15 – ADMINISTRATION AND ENFORCEMENT OF PERFORMANCE STANDARDS (I-1)

A. Prior to the issuance of a zoning permit for any use in this district, development plans shall be submitted to the Zoning Administrator for review. Plans shall provide sufficient detail to demonstrate compliance with this chapter and the applicable performance standards.

B. Determinations of violation may be made based on observation by the Zoning Administrator (or designee) and use of appropriate measurement equipment. The operator shall receive written notice of the time and place of any scheduled testing and shall be afforded an opportunity to witness the test.

C. Upon determination of a violation, written notice shall be provided to the landowner and/or tenant describing the nature of the violation and corrective measures required. A determination of violation may be appealed to the Board of Zoning Appeals in accordance with the procedures established in this Ordinance.

D. If corrective action is not initiated within two (2) weeks of written notice, the Zoning Administrator may take such action as authorized by this Ordinance to secure compliance. Violations shall be subject to penalties as provided by law.

Section 6.13.16 - PLANS REQUIRED; ADDITIONAL REQUIREMENTS (I-1) (175-63)

A. Before a ~~building~~ Zoning permit shall be issued or construction commenced on any permitted use in this district or a permit issued for a new use, the plans, in sufficient detail to show

compliance with substantive provisions of this chapter and the operations and processes, shall be submitted to the Zoning Administrator for study. The Administrator shall refer these plans to the Planning Commission for its recommendation. Plans must comply with current written town standards. Modification of the plans may be required. ~~Such plans shall be drawn in accordance with Sections 175-116 and 175-117.~~

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

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

1. Outdoor storage, outdoor display, or outdoor sale of goods shall be used in direct association with the primary use or uses of the property.
2. Outdoor storage, outdoor display and/or outdoor sales shall be screened to obstruct view from any adjacent public street. A screen may consist of a building, solid masonry wall, uniformly painted solid board fence or landscaping. The height of the screening shall be 6' feet unless an alternative height is approved by the Planning Commission during the review of a site plan.
3. The following types of outdoor display and/or outdoor sales shall be exempt from the screening requirements of Section 6.13.10.C.2.
 - a. Motor vehicles.
 - b. Power operated machines designed for outdoor labor, such as farming, construction or lawn maintenance, as well as large equipment, products, and materials designed to be kept outdoors. Plants and other landscaping products typically sold with plants.
 - c. Temporary or seasonal activities, such as but not limited to, peddlers and itinerant merchants that have obtained approval from the Town.
 - d. Pre-manufactured buildings.
 - e. Vending machines.
 - f. General products, goods, merchandise, and/or materials, provided that (i) no more than 200 square feet of area is used, and (ii) outdoor display and/or sales are restricted from the evening and night hours from 8PM to 5AM, except that general products, goods, merchandise, and/or materials may be kept outdoors if located under a roofed structure.

D. The Planning Commission may require landscaping within any established or required front setback area. The plans and execution must take into consideration traffic circulation. Landscaping may be permitted up to a height of three (3) feet and to within fifty (50) feet from the corner of any intersecting streets.

Commented [CH1]: references?

Commented [AA2R1]: Lauren, please amend as you see fit. This does not exist in current ordinance.

E. Sufficient area shall be provided to adequately screen permitted uses from adjacent business and residential districts and for off-street parking, which shall be in accordance with the provisions set forth in [Section 9.119.2](#)

F. Parking and loading requirements may be reduced or waived where evidence demonstrates lower demand (e.g., high-tech manufacturing with fewer truck trips).

G. Shared parking between multiple industrial tenants is permitted if total parking meets the minimum parking for all tenants.

H. The Administrator shall act on any application received within thirty (30) days after receiving the application. If formal notice in writing is given to the applicant, the time for action may be extended for a thirty-day period. Failure on the part of the Administrator to act on the application within the established time limit shall be deemed to constitute approval of the application.

DIVISION 6.144 - INDUSTRIAL EMPLOYMENT DISTRICT (I-2)

Section 6.14.1 - STATEMENT OF INTENT (I-2) (175-64)

The I-2 General Industrial District is intended to accommodate a full range of industrial activities, including light, medium, and heavy operations, while ensuring that higher-intensity industrial activities are appropriately sited and regulated to avoid undue impacts within the district.

Section 6.14.2 - USE REGULATIONS (I-2) (175-65)

The I-2 Industrial Employment District is intended to provide for the establishment of industrial and employment uses and structures in appropriate locations within the Town, while ensuring that such uses are conducted in a manner that protects surrounding areas. The district is designed to prevent the use of land or structures in ways that could create dangerous, injurious, noxious, or otherwise objectionable conditions, including but not limited to risks of fire, explosion, radioactivity, excessive noise or vibration, air pollution, glare, heat, electrical disturbance, or the improper handling of liquid or solid waste. To achieve these objectives, the district establishes controls and performance standards governing industrial and employment uses and structures, consistent with the purposes of this Article and the Front Royal Comprehensive Plan.

Section 6.14.3 - USES PERMITTED BY RIGHT (I-2)

- A. Light industrial uses shall be permitted by right within the L2 District.
 - 1. Uses consist of lower-intensity industrial operations that involve the manufacturing, processing, assembly, packaging, storage, or distribution of goods using relatively small-scale equipment and controlled production processes. These activities are generally conducted within enclosed buildings and involve limited outdoor operations.
 - 2. Light industrial activities typically generate low levels of noise, vibration, dust, odor, glare, and emissions, and produce limited heavy vehicle traffic. Materials handled are generally finished or semi-finished products rather than bulk raw materials. Operations

are characterized by clean, controlled production environments with minimal off-site impacts and limited storage or processing occurring outdoors.

SECTION 6.14.4. - MISCELLANEOUS ALLOWED USES:

Accessory uses, structures and buildings

~~Home occupations~~

Open Space

Public facilities.

~~Public parks and playgrounds~~

Public utilities

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

~~Special childcare services~~

Uses determined by the Zoning Administrator to be substantially similar in character, intensity, and impact to a permitted use~~Such other uses as determined similar to one or more enumerated uses by the Zoning Administrator~~

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SECTION 6.14.5 PROHIBITED USES

The following uses are prohibited within the I-2 General Industrial District:

Nuclear fuel processing, uranium enrichment, or nuclear waste storage or disposal facilities.

Manufacturing, bulk storage, or testing of explosives or blasting agents.

Hazardous waste treatment, storage, or disposal facilities.

Municipal solid waste landfills or waste incineration facilities.

Biological research facilities requiring Biosafety Level 3 or Level 4 containment.

Any industrial use involving radioactive materials or hazardous substances in quantities that present a significant risk of fire, explosion, or environmental contamination beyond the site boundaries.

Any use that cannot comply with the performance standards of this Ordinance governing noise, vibration, emissions, glare, heat, electrical disturbance, or waste handling.

Coal or Chemical Storage Yards

Section 6.14.6 - USE PERMITTED BY SPECIAL USE PERMIT (I-2)

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

A. Medium industrial uses

Medium industrial uses that consist of moderate-intensity industrial operations that may involve larger equipment, heavier materials, higher production volumes, or substantial material handling. These activities may generate noticeable noise, vibration, truck traffic, outdoor processing, or other operational impacts typical of industrial environments. Medium industrial uses may only be approved by special use permit after demonstrating compliance with mitigation measures, site design, and operational controls sufficient to manage potential impacts on surrounding industrial activities and transportation infrastructure.

B. Heavy Industrial Uses

Heavy industrial uses that consist of high-intensity industrial operations involving large-scale manufacturing, processing, refining, or material handling. These operations often require extensive infrastructure, specialized equipment, continuous production processes, or large outdoor storage areas. Heavy industrial uses may generate substantial noise, vibration, emissions, truck traffic, or outdoor operations. Such uses are permitted only by special use permit, with approval contingent upon demonstrating that impacts are appropriately mitigated, access and infrastructure are adequate, and the site is suited for high-intensity industrial activity.

SECTION 6.14.7 - MISCELLANEOUS:

Any use permitted under ~~Section 6.14.2.A~~, use under this subsection, that proposes to occupy a building or structure that exceeds the height requirements ~~of Section 6.14.2.A~~ are subject to the requirements of Division 5.1 (Special Use Permit). 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 and by a compatibility analysis as determined by zoning administrator as required.

Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions ~~prescribed in Division 9.3~~

Conservation Areas

Mini-warehouses

Parking Structures

Section 6.14.84 - AREA REGULATIONS (I-2) (175-66)

A. Minimum lot size: twenty thousand (20,000) square feet.

B. Minimum lot width: eighty (80) feet.

C. Minimum district size: ten (10) acres.

Section 6.14.95 - MAXIMUM HEIGHT OF BUILDINGS (I-2) (175-67)

A. All buildings/structures: seventy-five (75) feet unless waived by Special Use Permit (SUP), except as provided for in Section 6.14.106.

B. Exemptions to height requirements:

1. Chimneys and flues.
2. Cooling towers.
3. Flagpoles.
4. Radio and communications towers.
5. Parapet walls up to four (4) feet above the height of the building on which the wall rests.
6. Water towers.
7. Elevator towers.

Section 6.14.106 - MINIMUM YARD DIMENSIONS (I-2) (175-68)

A. All structures:

1. Front: twenty-five (25) feet.
2. Side: ten (10) feet.
3. Rear: ~~ten (10)~~ zero (0).
4. Corner side: twenty-five (25) feet.

B. Transitional requirements, when adjoining a residential district

1. Side: forty (40) feet.
2. Rear: forty (40) feet.

1. Transitional yards shall be landscaped in accordance with the provisions of Landscape Preservation and Planting Guide ~~All transitional yards shall be landscaped in accordance with Section 148.44.~~

Commented [AD3]: Same section ref. Doesn't exist.

Section 6.14.117 - LOT COVERAGE (I-2) (175-69)

A. Maximum building coverage: - ~~fifty percent~~ sixty five (65) percent.

B. Maximum impervious surface coverage: - seventy-five percent (75%).

Section 6.14.128 - PERFORMANCE STANDARDS (I-2) (175-70)

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

A. Vibration:

1. Ground-borne vibration shall not exceed 0.02 inches per second peak particle velocity (PPV) at the property line when adjoining residential districts.~~No continuous, frequent or repetitive vibrations shall be produced which are discernible to a person of normal sensitivities, without instruments, on land that is not zoned for industrial uses.~~
2. Vibrations from temporary construction and vehicles leaving the property (such as trucks or trains) are excluded. Vibrations from on-site equipment or vehicles that remain primarily on-site are included.
3. Vibrations of no more than five (5) minutes in any one (1) day between the hours of 7:00 a.m. and 7:00 p.m. shall not be deemed continuous, frequent or repetitive.

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

C. Heat:

1. Heat from an industrial use shall not at any time cause a temperature increase in the air on any adjacent property in excess of ten degrees Fahrenheit (10 F.).
2. Heat from an industrial use shall not at any time cause a temperature increase in a stream, wetland, lake or any other body of water, at or beyond the property line of the lot on which it is located, that would have an adverse effect on any aquatic life.

D. Liquid or Solid Wastes:

1. No industrial use shall result in the discharge of liquid or solid waste into any public sewer, private sewage system, public waters or into the ground except in compliance with applicable federal, state or local laws governing such discharge.
2. There shall be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects.
3. All discharges into any public sewer shall comply with the provisions of Section 134-2, et seq.

E. Smoke and Particulate Matter:

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

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

F. Toxic and Hazardous Materials:

1. All toxic and hazardous materials used in industrial operations shall be registered with the Front Royal Fire Department for purposes of safety.
2. Activities involving the storage or use of materials or products which decompose by detonation shall be registered with the Front Royal Fire Department.
3. Explosives shall be stored, used and manufactured in accordance with applicable state and federal regulations.

G. Odor:

1. Odor emissions shall not exceed detectable levels beyond the property line as measured using ASTM E544 or equivalent field olfactometry standards. ~~No continuous, frequent or repetitive emission of odors or odor causing substances of such intensity and character as to be detrimental to the health and welfare of the public or neighboring landowners or to interfere with the comfort of the public or neighboring landowners at or beyond the property line shall be permitted. Any such odor or odor causing activity or substance shall be removed, stopped or so modified as to remove the odor.~~
2. An odor which is evident no more than once in any one (1) day for a period not exceeding five minutes shall not be deemed as continuous, frequent or repetitive within the meaning of these regulations.

H. Noise:

1. No industrial activity shall generate noise that tends to have an annoying or disruptive effect upon uses located beyond the property boundary.
2. Where technical evidence of violation is warranted, sound levels shall be measured at locations specified in **Section 6.14.3** with a sound level meter and associated octave band filter, manufactured in accordance with the American Standards Association. Measurements shall be made using the flat network of the sound level meter. No sound pressure level shall exceed the decibel levels in the octave bands shown herein.
3. Maximum permitted sound levels (in decibels):

<u>Octave Band Cycles Per Second</u>	<u>Maximum Permitted Sound Level in dB(A)</u>	<u>Maximum Permitted Sound Level in dB(C)</u>
-	-	-
<u>0 to 75</u>	<u>72</u>	<u>88</u>
<u>75 to 150</u>	<u>67</u>	<u>80</u>

<u>150 to 300</u>	<u>59</u>	<u>67</u>
<u>300 to 600</u>	<u>52</u>	<u>56</u>
<u>600 to 1200</u>	<u>46</u>	<u>48</u>
<u>1200 to 2400</u>	<u>41</u>	<u>37</u>
<u>2400 to 4800</u>	<u>38</u>	<u>37</u>
<u>Above 4800</u>	<u>35</u>	<u>35</u>

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

5. Noise resulting from temporary construction, repair, remodeling, demolition, grading, or utility installation activities shall be exempt from the industrial noise limits of this Section, provided that:

- a. Such activities occur only between 7:00 a.m. and 7:00 p.m., Monday through Saturday;
- b. Noise levels do not exceed 85 dBA at the property line;
- c. Equipment is maintained in good working order and equipped with manufacturer-recommended mufflers; and
- d. Construction activity exceeding thirty (30) consecutive days at the same site shall comply with the standard industrial noise limits unless extended by the Zoning Administrator for good cause.

2. 4. Noise resulting from temporary construction activity between the hours of 7:00 a.m. and 7:00 p.m. shall be exempt from this section. Where industrial activities produce continuous, intermittent, or tonal noise, the zoning authority

may require compliance testing using DBA or DBC standards, as appropriate to the specific noise characteristics of the use.

I. Screening:

1. Except where otherwise specifically approved in the Town Code, permitted uses shall be conducted wholly within a completely enclosed building.
2. Outdoor storage, outdoor display or outdoor sale of goods shall only be permitted when each of the following standards are met.
 - a. Outdoor storage, outdoor display, or outdoor sale of goods shall be used in direct association with the primary use or uses of the property.
 - b. Outdoor storage, outdoor display and/or outdoor sales shall be screened to obstruct view from any adjacent public street. A screen may consist of a building, solid masonry wall, uniformly painted solid board fence or landscaping. The height of the screening shall be 6' feet unless an alternative height is approved by the Planning Commission during the review of a site plan.
3. The following types of outdoor display and/or outdoor sales shall be exempt from the display requirements of Section 6-148-23a.
 - a. Motor vehicles.
 - b. Power operated machines designed for outdoor labor, such as farming, construction or lawn maintenance, as well as large equipment, products, and materials designed to be kept outdoors.
 - c. Plants and other landscaping products typically sold with plants.
 - d. Temporary or seasonal activities, such as but not limited to, peddlers and itinerant merchants that have obtained approval from the Town.
 - e. Pre-manufactured buildings.
 - f. Vending machines.
 - g. General products, goods, merchandise, and/or materials, provided that (i) no more than 200 square feet of area is used, and (ii) outdoor display and/or sales are restricted from the evening and night hours from 8PM to 5AM, except that general products, goods, merchandise, and/or materials may be kept outdoors if located under a roofed structure.
4. All sites and parking areas shall be landscaped in accordance with the provisions of Sections 148-46, 148-47 and 148-48.
5. Automobile graveyards and junkyards, including those in existence at the time of the adoption of this chapter, shall completely screen, on any side open to view from a public

road, the operation or use by a solid masonry wall, a uniformly colored solid fence or dense evergreen plantings at least six (6) feet in height at the time of planting.

Section 6.14.139 - LOCATIONS FOR DETERMINATION OF PERFORMANCE STANDARDS (I-2) (175-71)

Measurements may be made at ground level or at habitable levels of buildings. Measurements shall be made at the property boundary of the parcel where the industrial use is located.

Section 6.14.140 - ADMINISTRATION AND ENFORCEMENT OF PERFORMANCE STANDARDS (I-2) (175-72)

A. Before a building permit or zoning permit shall be issued or construction commenced on any uses in this district or a permit issued for a new use, the development plans shall be submitted to the Zoning Administrator for review. Sufficient detail shall be provided on said plans to show compliance with the substantive provisions of this chapter and compliance of the operations and processes to the performance standards.

B. Determinations of a violation shall be made pursuant to a test using either the senses of the Zoning Administrator and a second municipal official/employee, or using equipment before notice of violation is issued. The operator of an industrial use shall be given written notice of the time and place of the test and given a reasonable opportunity to witness the test.

C. The Zoning Administrator will notify landowners and business operators/tenants in writing of violations and will then seek compliance. When notified of a violation, a landowner or tenant will have the opportunity to demonstrate that the operation predates the application of this Article and is therefore a valid nonconforming use. A finding of violation may be appealed to the Board of Zoning Appeals and then to the courts.

D. If a violation exists and the operator fails to take satisfactory action within two (2) weeks, the Zoning Administrator shall take or cause to be taken such action as is appropriate to cause correction of such violation. Failure to obey lawful orders concerning correction of such violation shall be punishable as provided generally for violations in the Zoning Ordinance and in other laws or regulations affecting the case.

Section 6.14.154 - OFF-STREET PARKING AND LOADING (I-2) (175-73)

A. Parking space requirements:

1. Industrial uses/manufacturing/distribution areas: one (1) space per employee and one (1) space for every vehicle used on site, plus one (1) space per delivery/loading bay.
2. Automobile garages: two (2) spaces per service bay, or two (2) spaces for every three hundred sixty (360) square feet. Every such facility shall have a minimum of three (3) spaces.
3. Industrial uses/office component: one (1) space per three hundred (300) square feet of office area.
4. Other uses not specifically enumerated: see [Section 9.11.2](#)

B. Location: Minimum setback for loading areas, driveways and parking: five (5) feet from side and rear property lines for parking areas with fewer than fifteen (15) spaces and five (5) feet from front property line except where driveway entrance is located. All parking areas with fifteen (15) or more spaces shall meet the requirements of Section 148-48.

C. Loading space requirements:

1. Number: one (1) space for first ten thousand (10,000) square feet of gross floor area, plus one (1) space for each additional forty thousand (40,000) square feet or fraction thereof. For purposes of this section, gross floor area shall include gross outdoor storage areas, covered or uncovered.
2. Size of space: minimum twelve (12) feet wide and fifty-five (55) feet in length, with a minimum clear height of fifteen (15) feet.

ARTICLE 8 – USE REGULATIONS (175-107)

DIVISION 8.1 – USES FOR ELDERLY, DAY CARE, BED AND BREAKFAST AND CEMETERIES

Section 8.1.1 - NURSING AND CONVALESCENT HOMES, INCLUDING HOMES FOR THE ELDERLY (175-107)

In addition to the requirements of the district in which the nursing or convalescent home is located, such uses shall meet the following requirements:

- A. All state rules and regulations for the licensing of such uses.
- B. All requirements of the State Health Department and Fire Marshal's office regarding such uses.
- C. Parking requirements as established in Chapter 148.
- D. Architectural barriers, such as stairs, for residents of such establishments shall be overcome to the greatest extent possible. Additional safety features, such as handrails, in various areas shall be installed.

Section 8.1.2 - DAY CARE AND DAY-CARE FACILITIES IN RESIDENTIAL ZONING DISTRICTS BY ~~SPECIAL PERMITS~~SPECIAL USE PERMIT (175-107.1)

The following provisions shall apply to day care and day-care facilities located in residential zoning districts:

- A. All day-care operations in residential zoning districts shall be restricted to not more than one hundred (100) children per day-care facility.
- B. All day-care operations and day-care facilities shall be licensed by the Commonwealth of Virginia in accordance with the provisions of Virginia Code Section 63.1-196, as amended, unless otherwise specifically exempted from such licensing requirements under provisions of the Virginia State Code.

C. Day-care operations in residential districts shall not be permitted in single-family or multi-family residential dwellings.

D. Day-care operations in residential districts shall be restricted to schools, churches, lodges, hospitals, rest, convalescent or nursing homes, offices or halls which are otherwise permitted by right in the respective residential district in question, or any of the aforementioned facilities which are currently in existence as a nonconforming use, or any of the aforementioned facilities which have previously been approved for non-day-care purposes by ~~special-permit~~Special Use Permit. The day-care operation shall be an ancillary or additional use to the facility in question. Facilities shall not be constructed in residential districts solely for daycare use.

E. All day-care facilities in residential zoning districts shall be required to have a minimum lot size of twenty thousand (20,000) square feet for day-care operations with fifty (50) children or fewer and forty thousand (40,000) square feet for day-care operations with more than fifty (50) children.

F. In assessing the request for a special use permit to conduct day-care operations in residential zoning districts, the Council shall consider and may require the availability of safe on-site drop-off and pickup areas, outdoor play areas not located in the facility's front yard, fenced play areas and screening or noise buffers for adjacent properties. The Council shall also consider the nature and suitability of the proposed facility, the size, location and characteristics of the grounds or yard, the safety of the children to be cared for at the facility, peak and non-peak traffic patterns, parking, the effects on nearby property and residents, noise and such other factors which the Council deems pertinent in assessing the suitability of any proposed day-care operation in a residential zoning district.

Section 8.1.3 - BED AND BREAKFAST USES IN RESIDENTIAL ZONING DISTRICTS BY ~~SPECIAL PERMIT~~SPECIAL USE PERMIT (175-107.2)

The following provisions shall apply to Bed and Breakfast Uses located in residential zoning districts:

A. The minimum lot size for a Bed and Breakfast Home use shall be 1.5 acres if associated uses referenced in Subsection H are proposed on the property. The minimum lot size for a Bed & Breakfast with no associated uses in 0.5 acres.

B. The maximum number of guest rooms shall be ten (10) for Bed & Breakfasts with a lot size of 1.5 acres or greater. The maximum number of guest rooms shall be six (6) for Bed and Breakfasts with a lot size of 0.5 acres to 1.49 acres.

C. No provisions shall be allowed for cooking in individual guest rooms.

D. Parking shall be provided as follows: Two (2) spaces for residents, one (1) space per guest room and spaces for associated uses as determined by the Planning Commission. Tandem or stacked parking arrangements may be approved. Parking for associated uses must be provided on site.

E. The provision of the required parking and the traffic created due to this use shall not adversely impact any adjacent residential uses.

F. The exterior appearance of the structure shall not be altered from its single-family character.

G. Adequate landscaping, distancing and/or restriction of hours of operation shall be provided to buffer the adjacent residential uses from any noise or light generated by this use that is either uncharacteristic of residential neighborhoods or takes place at times uncharacteristic to residential neighborhoods.

H. Associated uses are allowable and may include but not be limited to catered events such as receptions and dinner parties, provided that such associated uses do not adversely impact any adjacent residential uses.

I. The owner must reside on premise.

J. Applicable provisions of the Uniform Statewide Building Code and all other laws, regulations, inspections, and licenses must be met.

K. Each Bed and Breakfast shall be allowed one (1) on premise sign no larger than two feet by two feet (2' x 2').

L. The owner must submit a plat of the property showing the existing conditions and location of the proposed parking.

Section 8.1.4 - BED AND BREAKFAST USES IN COMMERCIAL C-1 AND C-2 ZONING DISTRICTS BY SPECIAL USE PERMIT (175-107.3)

A. The maximum number of guest rooms shall be six (6).

B. No provisions shall be allowed for cooking in individual guest rooms.

C. The owner must reside on premise.

D. The exterior appearance of the structure must not be altered from its single-family character.

E. Parking shall be provided as follows: two (2) spaces for residents and one (1) space per guest room.

F. Applicable provisions of the Uniform Statewide Building Code and all other applicable laws, regulations, inspections, and licenses shall be met.

G. The owner must submit a plat of the property showing the existing conditions and the location of proposed parking.

Section 8.1.5 - CEMETERIES IN RESIDENTIAL DISTRICT (R-3) BY ~~SPECIAL PERMITS~~SPECIAL USE PERMIT (175-107.4)

The following provisions shall apply to cemetery uses located in residential (R-3) zoning districts:

1. Cemetery uses shall be located within a churchyard and designated on a plat to be submitted with the application.
2. Cemetery uses shall be marked with a fence or stone.
3. The location of cemeteries shall be registered with the Planning and Zoning Department.
4. Cemetery uses shall be set back 150 feet from lot lines.
5. Cemetery uses shall be set back a minimum of 250 yards from a residence if property owner consent is not received to be located closer to the residence (§57-26 Code of Virginia).
6. Cemetery uses shall be set back a minimum of 300 yards from a city, town, or water company well (§57-26 Code of Virginia).

DIVISION 8.2 – TEMPORARY USES AND STRUCTURES

Section 8.2.1 - RECREATIONAL VEHICLES AND TRAVEL TRAILERS (175-100)

A. Recreational vehicles and travel trailers may be stored in a side, corner side, or rear yard of a lot, provided they are stored in a location that meets the minimum yard requirements as would be required for an accessory building of the same dimensions. Except as provided in subsection B below, no recreational vehicles shall be stored closer to a street than the minimum setback line or yard requirement in any district and occupancy shall be prohibited. Other restrictions, as found under Chapter 158, Section 19.1, apply to the parking of recreational vehicles within the public right of way.

B. Temporary parking of recreational vehicles and travel trailers that does not comply with Subsection A may be allowed in the front yard only for the following circumstances:

1. Temporary parking of up to three (3) consecutive days, located entirely on private property, and on a paved driveway, for the sole purposes of cleaning and preparing the unit for use or storage.
2. Temporary parking of up to fourteen (14) days within any calendar month, up to three times during the calendar year, for temporary accommodation of visitors. The vehicle shall not be permanently connected to public utility system. However, the vehicle may be connected to electricity temporarily for charging batteries or other purpose related to the preparation of the vehicle for use.
3. Temporary parking for the purpose of camping where campgrounds are permitted, or permitted by special use permit.
4. Extensions of time to the above restrictions of this subsection may only be granted under the same conditions as found under Division 9.3.3.

Section 8.2.2 - TEMPORARY CONSTRUCTION TRAILERS (175-109)

A. Zoning permits for temporary trailers may be issued by the Zoning Administrator in any zoning district for construction purposes only. Temporary trailers may not be used for residential purposes or sales offices. All permits for temporary construction trailers shall be subject to the following conditions:

1. The Zoning Administrator shall review and approve or deny all requests for temporary construction trailer permits. In assessing a request for a temporary construction trailer permit, the Zoning Administrator shall consider the necessity for such temporary construction trailer, its location and its effects on the surrounding neighborhood and/or adjoining property owners and may require terms and conditions on the location and placement, type and number of trailers, screening and such other reasonable conditions as the Zoning Administrator shall deem necessary.
2. The location of temporary construction trailers on a specific site shall be necessary for the purpose of a construction office or storage.
3. The request for a temporary construction trailer permit shall be filed by the contractor, landowner or State Department of Highways and Transportation as being essential to the construction activity.
4. A minimum area of two thousand (2,000) square feet shall be provided for each temporary construction trailer space.
5. Each temporary construction trailer shall have a minimum of two (2) off-street parking spaces in addition to other parking spaces required by this chapter for other activities.
6. All sanitary facilities must conform to State Health Department trailer camp sanitation requirements.

B. The maximum period allowable for the placement of a temporary construction trailer shall be six (6) months or until completion of the project, whichever is shorter. Applications for renewal for a successive six-month periods may be submitted if additional time is required to complete the project. However, each renewal application must be filed at least thirty (30) days prior to the expiration of the original temporary construction trailer permit

C. The Zoning Administrator, in granting a temporary construction trailer permit, may require the posting of a bond to ensure that the temporary construction trailer will be removed and the site left in good order at the expiration of the permit.

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

Section 8.2.3 - TEMPORARY TRAILERS; NONRESIDENTIAL USES (175-109.1)

A. The Town Council in its discretion may grant a ~~special permit~~ Special Use Permit for approval not to exceed one (1) year for the use of a temporary trailer or a temporary manufactured home for specified nonresidential purposes related to the following permitted uses:

1. Hospitals.
2. Schools.
3. Churches.
4. Institutions.
5. Rest, convalescent or nursing homes.
6. Public utilities.
7. Industrial facilities.

B. The ~~special permit~~ Special Use Permit may be granted for any zoning district, provided that the underlying use is permitted in that zoning district. For good cause shown, Council may vote to grant a single extension for an additional period not to exceed one (1) year.

C. All temporary trailers approved under this section for a period of six (6) months or more shall be placed and anchored on a foundation appropriate for a two-year duration. All such foundations shall be skirted.

D. The ~~special permit~~ Special Use Permit application shall specify the event or solution that will terminate the need for the temporary trailer. In assessing the application for a ~~special permit~~ Special Use Permit, Council shall consider the following:

1. The effect on surrounding properties.
2. The effect on community appearance.
3. The stated need for a temporary facility, and the availability of alternative solutions.
4. Traffic and safety factors.
5. Such additional factors as may apply to the site, and the particulars of the application.

DIVISION 8.3 – AUTOMOBILE AND TRUCK USE REGULATIONS

Section 8.3.1 - AUTOMOBILE SERVICE STATIONS (175-110)

The Town Council, upon recommendation from the Planning Commission, may place certain restrictions on automobile service stations in the C-1, C-2, I-1 and I-2 Zones, in addition to the regulations of those zones, based on the following criteria:

A. The effect of such proposed buildings and use upon the character of the neighborhood, traffic conditions, public facilities and other matters pertaining to the public health, safety and general welfare.

B. All appliances for dispensing gasoline installed outside of enclosed buildings shall be located not less than fourteen (14) feet from any property line adjoining the public street and all such appliances shall be installed and maintained in such location as to prevent any part of vehicles being serviced from standing on the street, alley or sidewalk area.

Section 8.3.2 - INOPERATIVE MOTOR VEHICLES (175-110.1)

A. No more than one (1) inoperative motor vehicle, trailer or semitrailer, as defined by Virginia Code Section 46.2-100,⁵ which is inoperative, shall be kept outside a completely enclosed building on any property zoned for residential or commercial purposes. Such inoperative vehicle must be fully screened year-round from public view by plantings, fencing or a professionally manufactured car cover. Any inoperative vehicle stored under a car cover shall not be maintained on the same lot for more than six months in a twelve-month period. In no case shall any inoperative vehicles be stored in the required parking spaces for the use or in any required yard adjoining a public street.

B. For the purpose of this section, the word "inoperative" shall mean:

1. A motor vehicle, pursuant to Virginia Code §15.2-904.A.(ii), which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle.
2. A motor vehicle, pursuant to Virginia Code §15.2-904.A.(iii), on which there are displayed neither valid license plates nor a valid inspection decal.

C. The provisions of this section shall not apply to a person, firm or corporation which has been regularly and continuously licensed and engaged in the business of an automobile dealer, salvage dealer or scrap processor at the property in question since June 26, 1970.

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D. The owners of property zoned for residential or commercial purposes shall at the demand of the Town Council or its designated agent remove from their property any such inoperative motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure. Notice of the demand shall be sent to the property owner by first class mail to the owner's address as it appears in the Town tax records. In the event that the inoperative vehicle has not been placed in a fully enclosed building or structure, fully screened year- round from public view by plantings, fences or a professionally manufactured car cover, or removed from the property within ten (10) days from the date the notice was sent, then the Town or its designated agent may remove the inoperative vehicle, and thereafter dispose of the same upon furnishing the vehicle owner with ten (10) days' written notice. If the vehicle owner cannot be determined, the property shall be disposed of in accordance with Town Code Section 124-1 et seq.

E. The cost of inoperative vehicle removal, storage and/or disposal shall be chargeable to the owners of the vehicle or the owners of the premises, and may be collected by the Town as taxes and levies are collected. Every cost authorized by this section which is assessed against the owners of the premises shall constitute a lien against the property from which the vehicle was removed, and shall continue to constitute a lien until actual payment in full has been made to the Town.

Section 8.3.3 TRUCKS AND SEMITRAILERS (175-110.2)

A. In the zoning districts listed below in this subsection, it shall be unlawful for any person, firm or corporation to keep, park or store upon any lot in R-1, R-1A, R-2, R-3 Residential Zoning Districts or any residential portion of a PND or MCD District, any tractor truck or semitrailer designed to be used with a tractor truck, as defined in Virginia Code Section 46.2-100, or any truck with a registered gross weight in excess of twelve thousand (12,000) pounds. These provisions

shall apply regardless of whether such a vehicle is kept, parked or stored in the open or within an enclosed structure.

1. R-1 District
2. R-1A District
3. R-2 District
4. R-3 District
5. PND District (only within areas approved solely for residential use)

B. The provisions of subsection 8.3.3.A. shall not apply to any of the following vehicles:

1. School buses, church buses and other buses engaged in public transportation.
2. Pickup trucks with a registered gross weight of twelve thousand (12,000) pounds or less.
3. Panel truck with a registered gross weight of twelve thousand (12,000) pounds or less.
4. Motor homes, camping trailers and recreational vehicles as defined in Virginia Code Section 46.2-100. See Section 8.2.1 for recreational vehicle regulations.
5. Trailers of every type, except semitrailers designed to be used with a tractor truck.
6. Hospital mobile units and fire and rescue vehicles.
7. Vehicles owned and operated by public utilities.
8. Farm vehicles used in agricultural pursuits on parcels of land one (1) acre or larger.

C. The provisions of subsection 8.3.3.A. shall not apply to any vehicle which comes upon property for pickups, deliveries and service to property made in the regular course of business or which comes upon the property in the course of construction, maintenance or improvement to the property or adjoining streets and facilities.

D. Other than areas where semitrailers are restricted, as listed above under subsection A, trailers may be used for temporary storage; provided that, (i) the location of the semitrailer(s) is not located in the required yard area adjacent to any public street, (ii) the location of the semitrailer(s) does not interfere with required parking, vehicular mobility and vehicular maneuvering, (iii) the location is on an all-weather surface material, (iv) all fire and building code requirements are complied with, (v) a zoning permit is obtained from the Town, and (vi) no more than one trailer for temporary storage shall be permitted on property in any commercial zoning district. A 6' high opaque fence, hedge, landscape screen, wall, building wall, or berm may be used for screening to prevent view of a trailer used for temporary storage.

Section 8.3.4 - MOTOR VEHICLE PAINTING AND BODY WORK (175-110.3)

Motor vehicle body work and painting establishments shall comply with the following requirements:

- A. All work shall be conducted in a completely enclosed building.
- B. Used or damaged equipment removed from vehicles during the process shall be stored indoors, in a completely screened enclosure or shall be deposited in an approved covered outdoor collection receptacle for appropriate off-site disposal.
- C. Temporary overnight outdoor storage and parking of vehicles waiting for repair or pickup shall be permitted. All damaged vehicles shall be stored indoors or in a completely screened enclosure. No long-term storage (sixty (60) days or more) shall be permitted.
- D. A certificate of compliance with the Virginia Uniform Statewide Building Code shall be obtained for the use prior to commencement of the activity.
- E. All hazardous waste material, including paint, oil, antifreeze, etc., shall be disposed of only with a licensed ~~_____~~ hazardous waste removal firm.
- F. The facility shall be equipped with adequate filtering to ensure that no overspray or particulate matter from the operation shall be discernible beyond the property line.
- G. Notwithstanding the provisions of Article 13 pertaining to the definition of junkyard, authorization for the outdoor storage of up to eight (8) vehicles intended to be salvaged for parts may be made as part of the ~~special permit~~ **Special Use Permit** approval. Such vehicles shall be confined to a defined storage area that is effectively screened from public view.

DIVISION 8.4 - SHORT-TERM RENTALS (175-151)

Short-term rentals shall be permitted in all Zoning Districts by Special Use Permit and shall at a minimum meet the following requirements:

- A. The short-term rental owner of a dwelling unit to be used for a short-term rental shall apply for a Special Use Permit through the Department of Planning and Zoning and receive approval from Town Council prior to utilizing the dwelling unit as a short-term rental. Town Council may impose conditions necessary to mitigate adverse effects of the use on neighboring properties.
- B. ~~The one-time application fee shall be as written in the Fee Schedule. The one-time application fee shall be \$400.~~
- C. Staff will conduct an inspection prior to the issuance of the Special Use Permit approval. Additional inspections will be conducted on a complaint basis to ensure compliance with the performance standards listed in this section, along with any additional conditions imposed by Town Council, if applicable.
- D. The maximum number of occupants in the dwelling unit shall be determined by the number of bedrooms; there shall be no more than two (2) adults per bedroom. However, the maximum number of occupants shall not exceed 10 people unless approved by Council.
- ~~E. Parking for the use shall be located in driveways or other designated and approved parking areas.~~
- ~~F. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.~~
- ~~G.~~ ~~E.~~ A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the ~~2015 or 2018~~ most recent version

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of Uniform Statewide Building Code (~~2018 Version required usage beginning July 1, 2022~~); and a carbon monoxide detector must be installed on each floor in every dwelling.

~~H.F.~~ The owner of a dwelling used for short-term rentals shall give the Town written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards upon a twenty-four-hour notice.

~~I.G.~~ A property management plan demonstrating how the short-term rental will be managed and how the impact on neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants and utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to Town staff, public safety officials and, if applicable, the HOA of the subdivision. The plan must be provided as part of the rental contract.

~~J.H.~~ If the property is located within a subdivision governed by a homeowners' association, the Planning Department must receive proof that a notification to operate the short-term rental was sent to the HOA.

~~K.I.~~ The owners of the rental shall provide an emergency evacuation plan for the dwelling and the neighborhood.

~~L.J.~~ A copy of Chapter 106 of the Town of Front Royal Code relative to noise must be provided at the short-term dwelling.

~~M.K.~~ All outdoor burning shall be in compliance with Chapter 78 of the Town of Front Royal Code.

~~L.~~ Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation by the Zoning Administrator at any time.

8.4.1 Short-Term Rental Quantity and Density Limits

A. Purpose and Applicability

This section regulates the concentration and total number of short-term rental units through numerical limits and neighborhood protections in order to preserve the residential character of established neighborhoods, maintain neighborhood stability, and ensure compatibility between transient lodging uses and surrounding residential uses. These regulations are adopted pursuant to the Town's authority to protect the public health, safety, and general welfare and are intended to mitigate potential adverse impacts associated with short-term rentals, including noise, traffic, parking congestion, and other nuisance conditions that may arise from high concentrations of transient occupancy within residential areas.

1. The following table sets the trip wire standards that limit or prevent short term rental operation.

Short Term Rental Limits Trip Wire Table

Category	Metric / Trigger	Front Royal Number	Purpose
Total STR Cap (Townwide)	3% of total residential units	212 permits	Prevents excessive housing conversion while allowing tourism growth
Early Review Threshold	2.5% of residential units	≈177 permits	Planning Commission review before saturation
Complaint Revocation Standard	3 substantiated complaints within 12 months	Per property	Enforces accountability
	STR complaints exceed 1 per 8 permits annually	Townwide	Measures community impact
	Police calls 25% above residential average	Per STR property	Public safety safeguard

DIVISION 8.5 – HOME OCCUPATIONS (175-108.1)

All home occupations shall meet the following standards:

A. The use shall be clearly incidental to the principal use of the property for residential purposes and shall not change the exterior appearance of the dwelling unit, or change the character of the neighborhood.

B. Operators of home occupations must be residents on the same parcel, or parcels, where the home occupation is located. Notwithstanding subsection B, nonresident employees may also work for the home occupation, but no more than one (1) nonresident employee may work from the parcel, or parcels, at the same time.

C. No outdoor display, sales or storage of goods, materials or equipment shall be permitted, except that, the Zoning Administrator may authorize up to two (2) business vehicles, including any vehicle used by a nonresident employee. Equipment and inventory shall be contained within the dwelling or accessory structure. ~~Indoor storage is permitted,~~ provided that it does not violate the other restrictions of this section, including, but not limited to, changing the appearance of the dwelling unit, changing the character of the neighborhood, or increasing traffic.

D. No wholesale or retail business shall be permitted unless it is conducted entirely by mail and/or telephone and does not involve the bulk shipment/delivery of merchandise to and from the premises; provided, however, that articles produced by the home occupation operators may be sold on the premises.

E. Provided that the other requirements of this section are complied with, home occupations shall include, but shall not be limited to, the following uses: home offices, computer repair services, telecommunication services, artist studios, instructional services/tutoring, dressmaking, babysitting/babysitting services, or small item repair services. Uses that are restricted from being classified as home occupations shall include, but shall not be limited to, the following uses: motor vehicle repair, beauty/barber shops (with more than one (1) customer at a time), restaurants, animal hospitals/kennels, retail sales, and dance studios.

F. In the instance of a home occupation involving a nonresident employee, at least one (1) additional off-street parking place shall be provided.

G. No home occupation shall create greater vehicular or pedestrian traffic than is otherwise normal for the district in which it is located.

H. No home occupation shall create noise, dust, vibrations, smells, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in the district on residentially used zoning lots where no home occupation exists.

I. Home occupations shall occupy no more than 25% of the total floor area of the dwelling.

J. Home occupations shall have no more than 1 on-site non-resident employee.

K. Any home occupation exceeding these limitations (e.g., more employees, larger space, or outdoor activity) may be permitted only through a special use permit.

L. Notwithstanding other regulations within this Chapter, signs are not permitted for home occupations, except that the Zoning Administrator may authorize a sign for the following circumstances.

1. When the sign is located on an authorized business vehicle and does not exceed ten (10) square feet in size.
2. When the sign is located within the C-1, C-2, C-3, I-1, I-2, or MCD Zoning District, subject to the following conditions.
 - a. Shall not exceed four (4) square feet in size.
 - b. Shall not exceed six (6) feet in height, if freestanding.

**URBAN AGRICULTURAL ORDINANCE
AMENDMENT
(FOR INFORMATION PURPOSES ONLY)**

175-3 DEFINITIONS

AGRICULTURE, URBAN (Urban Agriculture) – An umbrella term that describes a range of food growing practices conducted as an accessory use **in residential districts** that may include the raising of crops, horticulture, aquaculture, hydroponics, forestry, gardening, apiculture, and both livestock and fowl keeping **on less than one acre**, subject to compliance with the regulations of Section 175-110.5. **For the purposes of Urban Agriculture, Livestock does not include hoofed animals or domesticated rabbits kept indoors as family pets.**

AGRICULTURE/AGRICULTURAL PURSUITS - The tilling of soil, the raising of crops, horticulture, aquaculture, hydroponics, forestry, gardening, apiculture, livestock and fowl keeping and breeding, farm wineries, roadside stands, tenant houses necessary for the operation of a farm, and the production of natural products with resources primarily derived from the land upon which it is produced. Yard maintenance, landscaping, noncommercial gardening and other customary incidental accessory uses shall not be deemed as "agriculture." Where agricultural uses are permitted under Chapter 175 of the Town Code, the provisions of Section 66-5 pertaining to slaughtering of stock shall not apply, provided that this exemption only applies to small scale slaughtering activities on a farm, and does not apply to slaughterhouses. **Agricultural pursuits are permitted only on lots larger than 10 acres.**

175-110.5 PERFORMANCE STANDARDS FOR URBAN AGRICULTURE

Urban Agriculture, as defined under Section 175-3 of this Chapter, 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.

1. 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.

2. 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 **without reapplication**; provide that, the use remains in compliance with the management plan and otherwise remains lawful.

44 B. Single family dwellings ~~duplex or two-family dwellings~~ located in residential
45 districts shall be permitted to keep up to six (6) female chickens (non-
46 crowing hens only), six (6) bee hives, and/or six (6) rabbits kept only
47 outdoors for meat purposes.

48 C. On lots larger than two (2) acres but less than ten (10), livestock, fowl
49 (including roosters), and bees totaling more than six(6) hives may be
50 permitted with approval of a Special Use Permit and approved
51 management plan to be obtained prior to approval of this application.

52 D. Animals kept for Urban Agriculture are restricted from the front yard and
53 corner side yard on corner lots.

54 E. On lots less than one (1) acre, Chickens and rabbits shall be in compliance
55 with the following:

- 56 1. Such animals must be confined in a chicken coop, or rabbit hutch not
57 less than 18 inches in height. The chickens must be kept within the coop
58 and or run and the rabbits in the hutch at all times. No poultry shall be
59 permitted to run at large.
- 60 2. The coop must be used for chickens only and the hutch for rabbits only,
61 and both must be well ventilated.
- 62 3. The coop or hutch shall have a minimum of four (4) square feet of floor
63 area for each chicken or rabbit.
- 64 4. Run space for a coop shall have a minimum of eight (8) square feet for
65 each chicken.

66 5. The run must be well drained so there is no accumulation of moisture.

67 6. The coop or hutch shall be kept clean, sanitary, and free from
68 accumulation of animal excrement and objectionable odors. The floor
69 and walls of the coop must be kept in a clean, sanitary and healthful
70 condition, with all dropping and organic waste material removed and
71 disposed of in a proper manner.

72 7. All feed or other material intended for consumption by chickens or
73 rabbits shall be kept in containers impenetrable by rats or other rodents,
74 and such containers shall be equipped with tightly fitting caps or lids.
75 The presence of rats in an area used for the keeping of **fowl** shall be
76 prima facie evidence that such area is maintained in violation of this
77 section.

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

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

87 H. The sale of goods or services related to Urban Agriculture is not authorized.

88 ~~except where such sale or services is allowed as a principal use of the~~
89 ~~property.~~ This restriction shall not include the incidental selling or trading

90 with neighbors, family or friends; nor shall it exclude selling produce off-site
91 at farm markets or other venues.

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

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

96 K. Bee hives must be setback at least ten (10) feet from side and rear property
97 lines and shall be enclosed on all sides by a fence at least 4 feet in height.

98 A sign between two (2) and four (4) square feet shall be clearly located on
99 the fence to communicate that bees are being kept within the enclosure.

100 L. Harvesting of honey shall take place within an enclosed building.

101 **(Added Entire Section 11-23-15-Effective Upon Passage)**

102

Chapter 66**DOGS AND OTHER ANIMALS**

FOR INFORMATION
PURPOSES ONLY

Sections:**ANIMALS GENERALLY**

- 66-1 LIVESTOCK RUNNING AT LARGE**
- 66-2 IMPOUNDMENT; REDEMPTION; SALE**
- 66-3 MAINTENANCE OF PENS AND KENNELS**
- 66-4 CRUELTY TO ANIMALS**
- 66-5 SLAUGHTERING ~~OF STOCK~~**

DOGS

- 66-6 DOGS RUNNING AT LARGE**
- 66-6.1 TETHERING RESTRICTIONS FOR DOGS AND OTHER CANINES**
- 66-7 NOISY DOGS**
- 66-8 DANGEROUS DOGS AND VICIOUS DOGS**
- 66-9 PROUD FEMALE DOGS**
- 66-10 DISPOSITION OF UNTAGGED DOGS**
- 66-11 RABIES**

KEEPING OF CERTAIN ANIMALS

- 66-12 DEFINITIONS**
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ASSAULT AND INTIMIDATION WITH ANIMALS

- 66-15 FINDINGS AND POLICY OF ARTICLE IV**
- 66-16 DEFINITIONS**
- 66-17 ANIMALS USED TO INTIMIDATE**
- 66-18 CONTAINMENT OR MUZZLING OF CERTAIN ANIMALS HAVING AN INTIMIDATING OR FRIGHTENING APPEARANCE; REQUIREMENT ANIMAL BE CONFINED OR PENNED**
- 66-19 UNEXPECTED EXPOSURE TO FRIGHTENING DISPLAY**
- 66-20 PROCEDURE TO DECLARE AN ANIMAL INTIMIDATING**
- 66-21 DUTY OF OWNER OR CUSTODIAN TO NOTIFY AUTHORITIES**
- 66-22 EXCEPTIONS**
- 66-23 PENALTY**
- 66-24 SEVERABILITY**

Adopted by the Town Council of the Town of Front Royal 3-11-85. (Chapter 4 of the 1965 Code including following amendments: Amended 11-13-72 "Noisy Dogs"; Amended 12-11-72 "Vicious or Destructive Dogs"; Amended 5-1-75 "Dogs Running at Large"; Ord. No. 6-84 Amended 6-11-84 "Dogs Running at Large"; Ord. No. 11-84 Added 9-24-84 "Keeping of Certain Animals within the Limits of the Town of Front Royal"; Ord. No. 12-84 Amended on 9-24-84 "Livestock Running at Large", "Maintenance of Pens and Kennels, and "Slaughtering Prohibited"; Sections 66-8 and 66-9 amended at time of adoption of Code). Other amendments noted where applicable.

ANIMALS GENERALLY

66-1 LIVESTOCK RUNNING AT LARGE

It shall be unlawful for an owner or custodian to permit cows, horses or other livestock to run at large within the Town.

66-2 IMPOUNDMENT; REDEMPTION; SALE

It shall be the duty of the Town Police, upon finding an animal running at large in violation of Section 66-1, immediately to stable or pen such animal and forthwith to post at the courthouse in the Town, notice of having taken possession of such animal, with a reasonable description of the same. It shall furthermore be the duty of the Police, in the event that no pound or pen is provided by the Town, to arrange with a private person for the care, keep and protection of such animal so taken up and report his action to the Town Manager or, in his absence, to the Mayor, who will forthwith notify the owner of such animal, if known, and issue a summons to be served upon him thereby bringing the case before the County Court for trial. If the owner of such animal is unknown, the Town Manager shall, after ten (10) days' notice given by written notices posted in the courthouse and post office in the Town, offer such animal for sale, at public auction, to the highest bidder before the courthouse door, and out of the proceeds coming into his hands, he shall first pay the cost of keep of such animal from time it has been taken up until the day of sale, all court costs and fees, cost of sale and such fine as shall have been imposed. Any balance remaining in his hands shall be deposited in the treasury, and if the person properly entitled to the same upon a hearing before the County Court establishes his ownership of such animal, then the remainder of the proceeds of such sale shall be paid over to him.

66-3 MAINTENANCE OF PENS AND KENNELS

Pens, stables, coops, kennels and yards for any animals or fowl located in the Town shall be kept in a sanitary condition at all times by the owner or person in charge thereof and shall be subject to inspection by the Health Officer, who shall be authorized to go upon the property in question to inspect facilities in plain view.

66-4 CRUELTY TO ANIMALS

A. Any person who overrides, overdrives, overloads, tortures, ill-treats or cruelly or unnecessarily beats, maims, mutilates or kills any animal, whether belonging to himself or another, or deprives any animal of necessary sustenance, food or drink or causes any of the above things

or, being the owner of such animal, permits such acts to be done by another or willfully sets on foot, instigates, engages in, or in any way furthers an act of cruelty to any animal or shall carry or cause to be carried in or upon any vehicle or vessel or otherwise any animal in cruel, brutal or inhuman manner so as to produce torture or unnecessary suffering shall be guilty of a misdemeanor, but nothing in this section shall be construed to prohibit the dehorning of cattle.

B. The word "animal" as used in this section, shall be construed to include birds and fowls.

66-5 SLAUGHTERING PROHIBITED

It shall be unlawful for any butcher or vendor of meats or any other person to slaughter [animals livestock](#) or fowl, [as defined in Section 66-12](#), within the Town limits.

DOGS

66-6 DOGS RUNNING AT LARGE

It shall be unlawful for any person to permit his dog to run at large as hereinafter defined. For the purpose of this section, a dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control. Any person who permits said dog to run at large shall be fined not more than two hundred dollars (\$200.). Any dog found running at large may be subject to seizure and impoundment by the Dog Warden.

(Ord. No. 3-92 Amended Fine 3-23-92-Effective Upon Passage)

(Ord. No. 2-97 Amended 9-22-97-Effective 6-1-98)

66-6-1 TETHERING RESTRICTIONS FOR DOGS AND OTHER CANINES

This ordinance is passed pursuant to Va. Code § 3.2-6543 *et. seq.* which authorizes localities to pass ordinances preventing cruelty to animals.

- A. Tether means, when used as a noun, any device, including but not limited to a chain, leash, cable, tie down, or tie out, attached to a stationary point or object, trolley or run used to contain or restrain a dog or other canine (as used in this ordinance, "canine" shall mean a hybrid of the domestic dog and any other species of the Canidae family). When used as a verb, tether shall mean to attach a dog or other canine to such a device.
- B. No person shall tether or cause to be tethered any dog or other canine except when the tether meets the following conditions:
 - 1. Appropriate to the age and size of the dog or other canine, the tether shall weigh no more than 10 percent of the animal's weight;

2. Attached to the dog or other canine by a properly applied collar, halter, or harness configured so as to protect the dog or other canine from injury and prevent the dog or other canine or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the dog or other canine; and
 3. At least three times the length of the dog or other canine, as measured from the tip of its nose to the base of its tail, except when the dog or other canine is being walked on a leash or is attached by a tether to a lead line.
- C. It shall be unlawful for a person to tether any dog or other canine:
1. When the dog or other canine is four months old or younger;
 2. When the dog or other canine is a female in estrus;
 3. When the temperature is less than thirty-two degrees Fahrenheit or greater than ninety degrees Fahrenheit unless the dog or other canine is provided adequate shelter under Virginia Code § 3.2-6500;
 4. If the tether weighs more than ten percent of the dog's or other canine's body weight;
 5. On the same tether concurrently with another dog or other canine; or
 6. For longer than twelve hours per twenty-four-hour period on a cable run or four hours on a fixed tether per twenty-four-hour period.
- D. Any person found guilty of violating this section shall be punished by a Class 3 misdemeanor with a fine not to exceed \$500. Any animal control officer or other law enforcement officer may seize the unlawfully tethered dog or other canine pursuant to his or her authority under Virginia Code § 3.2-6569.

(Entire Section Added 11-27-17-Effective Upon Passage)

66-7 NOISY DOGS

- A. It shall be unlawful and a nuisance for any person to keep, harbor or confine within the town any dog which shall habitually, continuously or intermittently make or emit sounds or noises of such volume and nature as to interfere unreasonably with or disturb the peace, quiet, comfort or repose of persons of ordinary sensibilities within the neighborhood in the reasonable use and enjoyment of their property.
- B. Upon complaint being made to any Police Officer that the provisions of this section are being violated, the Police Officer shall give notice to such owner of such complaint and shall further order the discontinuance of the disturbance. It shall be unlawful for the owner of such dog to

fail, after the expiration of twenty-four (24) hours from the receipt of such notice, to cause the discontinuance of the disturbance.

66-8 VICIOUS OR DESTRUCTIVE DOGS

A. Definitions:

1. A “dangerous dog” means a canine or canine crossbreed which has bitten, attacked, or inflicted injury on a person or companion animal, other than a dog, or killed a companion animal.
2. A “vicious dog” means a canine or canine crossbreed which has (i) killed a person; (ii) inflicted serious injury to a person, including multiple bites, serious disfigurement, serious impairment of health, or serious impairment of a bodily function; or (iii) continued to exhibit the behavior which resulted in a previous finding by a court that is a dangerous dog, provided that its owner has been given notice of that finding.
3. Notwithstanding the definitions above, no canine or canine crossbreed shall be found to be a dangerous dog or vicious dog solely because it is a particular breed, nor shall the local governing body prohibit the ownership of a particular breed of canine or canine crossbreed. No animal shall be found to be a dangerous dog or vicious dog if the threat, injury or damage was sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the animal’s owner or custodian, (ii) committing, at the time, a willful trespass or other tort upon the premises occupied by the animal’s owner or custodian or (iii) provoking, tormenting, or physically abusing the animal, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times. No police dog which was engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a dangerous dog or a vicious dog. No animal which, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, or its owner or owner’s property, shall be found to be a dangerous dog or a vicious dog.

B. Procedures for Determining a Dog to be Dangerous or Vicious

1. Any Animal Control Officer who has reason to believe that a canine or canine crossbreed within his jurisdiction is a dangerous dog or vicious dog shall apply to a magistrate of the jurisdiction for the issuance of a summons requiring the owner or custodian, if known, to appear before a General District Court at a specified time. The summons shall advise the owner of the nature of the proceedings and the matters at issue. The Animal Control Officer or owner shall securely confine the animal in a humane manner until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal.

2. In addition to Paragraph 1, Subsection B of this Section 66-8, an Animal Control Officer may determine, after investigation, whether a dog is a dangerous dog. If the Animal Control Officer determines that a dog is a dangerous dog, he may order the animal's owner to comply with the provisions of the ordinance. If the animal's owner disagrees with the Animal Control Officer's determination, he may appeal the determination to the General District Court for a trial on the merits.

C. Disposition of Dangerous or Vicious Dogs

1. Vicious Dog – If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of Section 3.1-796.119
2. Dangerous Dog –
 - a. If, after hearing the evidence, the court finds that the animal is a dangerous dog, the court shall order the animal's owner to comply with the provisions of the ordinance.
 - b. The owner of any animal found to be a dangerous dog shall, within ten days of such finding, obtain a dangerous dog registration certificate from the local Animal Control Officer for a fee of fifty dollars in addition to other fees that may be authorized by law.
 - (i) All certificates or renewals thereof required to be obtained under this section shall only be issued to persons eighteen years of age or older who present satisfactory evidence that the animal has been neutered or spayed.
 - (ii) All certificates or renewals thereof required to be obtained under this section shall only be issued to persons who present satisfactory evidence that the owner has liability insurance coverage, to the value of a least \$50,000.00 that covers animal bites. The insurance policy shall contain a provision requiring that the Town be named as an additional insured party and that the Town shall be notified by the insurance company of any cancellation, termination, or expiration of the policy. The local Animal Control Officer shall also provide the owner with a uniformly designed tag which identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. All certificates obtained pursuant to this paragraph shall be renewed annually for the same fee and in the same manner as the initial certificate was obtained.
 - c. All certificates or renewals thereof required to be obtained under this section shall only be issued to person eighteen years of age or older who present satisfactory evidence (i) of the animal's current rabies vaccination, if applicable, and (ii) that the animal is and will be confined in a proper enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced-in yard until the proper enclosure is constructed. In addition, owners who apply for certificates or renewals thereof under this section shall not be issued a certificate or renewal thereof unless they present satisfactory evidence that (i) their residence is and will continue to

be posted with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property and (ii) the animal has been permanently identified by means of a tattoo on the inside thigh or by electronic implantation.

- d. While on the property of its owner, an animal found to be a dangerous dog shall be confined indoors or in a securely enclosed and locked structure of sufficient height and design to prevent its escape or direct contact with or entry by minors, adults, or other animals. The structure shall be designed to provide the animal with shelter from the elements of nature. When off its owner's property, an animal found to be a dangerous dog shall be kept on a leash and muzzled in such a manner as not to cause injury to the animal or interfere with the animal's vision or respiration, but so as to prevent it from biting a person or another animal.
- e. If the owner of an animal found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this section.
- f. After an animal has been found to be a dangerous dog, the animal's owner shall immediately, upon learning of same, notify the local Animal Control Authority if the animal (i) is loose or unconfined; (ii) bites a person or attacks another animal; (iii) is sold, given away, or dies; or (iv) has been moved to a different address. If the dangerous dog is sold, given away, or has been moved to a different address, the previous owner will provide local Animal Control Authorities with the name, address, and telephone number of the new owner, who must also comply with the requirements of this ordinance.
- g. The owner of any animal which has been found to be a dangerous dog who willfully fails to comply with the requirements of the ordinance shall be guilty of a Class I misdemeanor.

D. Fees; Training

All fees collected pursuant to the ordinance, less the costs incurred by the Animal Control Authority in producing and distributing the certificates and tags required by the ordinance, shall be paid into a special dedicated fund in the treasury of the locality for the purpose of paying the expense of any training course required under Section 3.1-796.105.

(Ord. No. 15-99 Amended Entire Section 8-23-99-Effective Upon Passage)

66-9 PROUD FEMALE DOGS

It shall be unlawful for any person who shall own or have in his possession any proud female dog to suffer the same to run at large during such a period to allow such dog to remain on his premises to the annoyance of others after notice by the officers of the Town.

66-10 DISPOSITION OF UNTAGGED DOGS

Dogs without tags will be turned over to the Dog Warden.

66-11 RABIES

Any dog which is known to be suffering from rabies, or which is suspected of suffering from such disease, shall be at once confined by the owner until it is definitely known whether the animal is so infected. If it is found to have such disease, the owner shall at once cause such animal to be killed and the body to be burned or buried. In the event of the failure of the owner to obey the terms of this section, the police may cause such animal to be killed or confined under order of the Chief of Police.

KEEPING CERTAIN ANIMALS PROHIBITED WITHIN TOWN LIMITS

66-12 DEFINITIONS

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

BEES – Those domesticated insects known as the western honey bee which produce honey and beeswax, and nest in a beehive.

DOMESTICATED HOUSEHOLD PETS - Animals normally kept for companionship, rather than as consumable commodity or producer thereof, which are tame, non-venomous or non-predatory, and shall include but not be limited to dogs, house cats, caged birds, rabbits, rabbits, hamsters and gerbils, excluding livestock and fowl and subject to any applicable limitations found in Chapter 175.

EXOTIC ANIMALS - Those animals, other than dogs, house cats, caged birds and other domesticated household pets, which because of a predatory nature, venomous bite or sting, size or disposition present a potential danger to town residents, including but not limited to lions and tigers, mountain lions and other large cats, bears, poisonous snakes and lizards, elephants, monkeys and apes, foxes, wolves, coyotes, alligators and crocodiles.

FOWL - Those birds raised for the purpose of meat, egg or feather production, and shall include but not be limited to, chickens, ducks, geese, turkeys, peacocks, guinea hens and pigeons, including homing pigeons.

LIVESTOCK - Those animals traditionally raised for the purpose of meat and dairy production, hide or fur production or as draft animals, and shall include but not be limited to cows, horses, donkeys, mules, pigs, and sheep.

(Amended 11-23-15-Effective Upon Passage)

66-13 PROHIBITION

Except for duly authorized parades, processions, zoos, circuses, rides, fairs and exhibitions, licensed pet shops, animal shelters and veterinary offices and hospitals, and except for those exemptions listed in Section 66-14, it shall be unlawful for any person to raise, house, or otherwise keep livestock, fowl, bees or exotic animals within the limits of the Town of Front Royal. This Article may be enforced by an Animal Control Officer, Front Royal Police Officer, or the Town Code Enforcement Officer. A violation of this Article shall constitute a Class III Misdemeanor. Subsequent violations shall constitute a Class II Misdemeanor.

(Amended to remove “livestock, fowl or” 11-23-15-Effective Upon Passage)

66-14 EXEMPTIONS

A. This Article shall not apply to domesticated household pets, as defined herein, ~~nor~~ to livestock, fowl, bees and/or exotic animals in transit through the Town of Front Royal by a carrier.

B. This Article shall not apply to livestock ~~or~~, fowl or bees kept on property where agriculture is a permitted use either by right or as a legally non-conforming use under Town Code Chapter 175.~~on any operating farm of one (1) acre in size or more located within the town limits.~~

~~C. Animals authorized as Urban Agriculture under Chapter 175 shall be exempt of the restrictions of this Article.~~

~~(Added “C” 11-23-15-Effective Upon Passage)~~

C. This Article shall not apply to chickens or bees so long as permitted as provided below and only so long as the person keeping such animals remains in full compliance with all of the permitting terms and conditions listed below. The prohibition against the slaughtering of livestock and fowl contained in Section 66-5 shall apply to this Article.

(1)

It shall be lawful for any person to keep, permit or allow chickens or bees within the corporate limits of the Town on residential property used as a single-family detached or semidetached dwelling. No chickens or bees shall be allowed on any residential property with more than one dwelling unit. No more than six (6) chickens and/or two (2) beehives shall be allowed on a single residential property. Chickens allowed under this section shall be raised for domestic use only, and no commercial use such as selling eggs or selling chickens for meat shall be allowed. No roosters shall be allowed.

(2)

Persons wishing to keep chickens pursuant to this Article must file an application with the Town's Department of Planning and Zoning, which application shall include a sketch showing the area where the chickens will be housed and the types and size of coops in which the chickens shall be housed. The sketch must show all dimensions and setbacks, and a management plan that adequately addresses waste disposal, site suitability, animal density, biosecurity and health measures, odor control, noise control, appearance, and maintenance with verification that the applicant has completed the Virginia Livestock Premises Registration with the Virginia State Veterinarian's Office. The management plan shall be reviewed by the Virginia Cooperative Extension Office, or other qualified expert, nonprofit organization or government entity. An inspection, and conditions of approval or recommendations may be required as part of the permit based on the management plan or other recommendations of the Virginia Cooperative Extension Office, or other qualified expert, nonprofit organization or government entity.

(3)

All chickens must be kept at all times in an enclosed, covered, secure, movable or stationary coops that contains at a minimum four (4) square feet per bird. Coops shall be located in the side or rear yard and shall be situated at least ten (10) feet from all property lines. In addition, all coops shall be located at least twenty (20) feet from streams, tributaries, ditches, swales, stormwater management facilities, drop-inlets, or other storm drainage areas that might allow fecal matter to enter any Town storm drainage system or stream. All coops must be kept in a neat and sanitary condition at all times and must be cleaned on a regular basis so as to prevent offensive odors.

(4)

All feed for the chickens shall be kept in a secure container or location to prevent the attraction of rodents and other animals. Chicken litter and waste shall not be deposited in any trash container that is collected by any public or private waste collector and shall be disposed of by composting on site, collected by a bona fide poultry litter service, or bagged and taken to the county landfill. Any dead bird shall not be deposited in any trash container that is collected by any public or private waste collector but shall be either composted or buried on site or taken to the county landfill. Further, all unexplained bird deaths shall be reported to the Virginia Department of Agriculture and Consumer Services prior to composting, burial, or transport to the county landfill.

(5)

Beehives 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. The permit application shall include a sketch showing the area where the beehive(s) will be located. 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. The harvesting of honey shall take place within an enclosed building.

(6)

Payment of a twenty-five dollar (\$25.00) permit application fee, and a twenty-five dollar (\$25.00) permit renewal reinspection fee, is required. Permits shall be displayed and maintained at all times in a conspicuous location on approved coops and beehives. Applicants are encouraged to notify adjacent property owners. A permit issued following inspection shall be valid for one (1) year except that the Department of Planning and Zoning may successively renew a permit in additional one (1) year increments prior to expiration provided that the use remains in compliance with the management plan and otherwise remains lawful following reinspection. Any permit issued may be revoked by the Department of Planning and Zoning at any time if such use significantly deviates from the approved permit and/or management plan.

ASSAULT AND INTIMIDATION WITH ANIMALS

(Added 5-13-96 by Ord. 5-96)

66-15 FINDINGS AND POLICY OF ARTICLE IV

The Town Council finds that the Town's citizens have been subject to fear, intimidation and apprehension of physical harm by the appearance and handling of certain animals. That this fear is reasonable and has had the effect of restricting the citizens use and enjoyment of public properties, places and ways. At times, certain animals are being used to threaten and intimidate the Town's citizens much as persons may be threatened or intimidated with a pointed or brandished firearm or other weapon. The average citizen not having specific knowledge about particular animals, the fear, intimidation and apprehension caused by these animals is reasonable as perceived even where the animal may pose no actual danger and may in fact be docile; much as a pointed but unloaded firearm will cause fear, intimidation and apprehension.

The Council finds that fear, intimidation and apprehension can be as debilitating and harmful to the Town's citizens as actual danger. The Council, finding it necessary to the health, welfare and peace of mind of its citizens, enacts this Article, pursuant to the Town of Front Royal Charter Section 18 (12),(13) and (25), to prevent and control the intimidation of the Town's citizens by certain animals which are intimidating in their appearance or in the manner in which they are handled.

66-16 DEFINITIONS

For purposes of this Article "intimidating animal" includes and means the following:

1. Any snake.
2. Any dangerous or vicious dog as defined in this Chapter.
3. Any animal that attacks, charges or approaches or attempts to attack, charge or approach a person or animal while barking, growling, with raised hackles, or in any other threatening manner and under circumstances that would cause a reasonable person to be startled, afraid or in fear of harm. This shall not include such behavior if displayed under circumstances in which the owner or custodian could lawfully use force to defend person or property or where the animal is injured.
4. Any animal that has previously been used to assault, intimidate or frighten any person.
5. Any snake or canine owned or in the custody of any person previously convicted of allowing, permitting or encouraging an animal to attack, assault, intimidate, or frighten any person or animal if such canine is of a size or appearance as to be reasonably perceived capable of causing harm to any person or companion animal if provoked.
6. Any animal that pursuant to the procedure set forth in Section 66-20 below has been declared an intimidating animal.

66-17 ANIMALS USED TO INTIMIDATE

It shall be unlawful for the owner or custodian of any animal:

1. To allow, permit, urge, or encourage such animal to attack, charge or approach any person or animal while growling, barking, with raised hackles or in any other threatening manner, or;
2. To allow, permit, urge, or encourage such animal to attempt to attack, attempt to approach, any person or animal while such animal is growling, barking, with raised hackles or in any other threatening manner, any person, or;
3. To threaten to sic, urge or command any animal to attack or charge any person or animal; or threaten to cause such animal to approach any person or animal while such animal is growling, barking, with raised hackles or in any other threatening manner, any person or animal.

However, this section shall not apply to any person engaged in excusable or justifiable self-defense.

66-18 CONTAINMENT OR MUZZLING OF CERTAIN ANIMALS HAVING AN INTIMIDATING OR FRIGHTENING APPEARANCE; REQUIREMENT ANIMAL BE CONFINED OR PENNED

An intimidating animal as described in Section 66-16 must be locked inside a secure container or enclosure, or in the case of a dog or other canine securely muzzled, at any time such animal is in a public place or a private place open to the public. A secure container or enclosure is one from which the animal cannot escape. A secure muzzle is one which prevents the animal from biting a person or other animal and one which the animal cannot remove. No owner or custodian shall permit an intimidating animal to be brought into a public place or other place open to the public unless he has determined with certainty that the intimidating animal cannot escape containment or is muzzled with a muzzle that prevents the canine from biting and which the canine cannot remove.

Any person who permits an intimidating animal to run at large, or remain unconfined, unrestricted or not penned up shall be deemed to have violated the provisions of this Article. Any intimidating animal found running at large shall be subject to seizure and impoundment by an animal warden or any other law enforcement officer.

66-19 UNEXPECTED EXPOSURE TO FRIGHTENING DISPLAY

No owner or custodian of an intimidating animal, whether or not such animal is contained or muzzled, shall leave such animal in, on or along a public place or way or place open to the public, when not under its owner's or custodian's immediate control, where it may attack, charge or approach or attempt to attack, charge or approach a person or animal while barking, growling, with raised hackles, or in any other threatening manner and under circumstances that would cause a reasonable person to be startled, afraid or in fear of harm.

66-20 PROCEDURE TO DECLARE AN ANIMAL INTIMIDATING

In addition to the animals described in Section 66-16, any specific animal may be declared an intimidating animal for purposed of this Article upon notice and hearing.

Any animal warden or any other law enforcement officer who has reason to believe that an animal within his jurisdiction is an intimidating animal shall apply to a magistrate of the jurisdiction for the issuance of a summons requiring the owner or custodian to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. The court, though its contempt powers, may compel the owner or custodian of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal has been engaged in the behavior described in Section 66-17, the court shall declare the animal an intimidating animal for purposed of this Article and order the animal's owner to comply with the provisions of Sections 66-18, 19 & 21 of this Article.

66-21 DUTY OF OWNER OR CUSTODIAN TO NOTIFY AUTHORITIES

The owner or custodian of any intimidating animal, vicious or dangerous dog must immediately notify the Front Royal Police Department in the event such animal escapes from confinement or the control of the owner or custodian. Further, the failure of the owner or custodian to immediately

make such notification may be used to show the willfulness in allowing such animal to run at large. Such immediate notification by an owner or custodian charged with such offense may be introduced in defense to show lack of willfulness if the person can specify the manner of notification, the identity of the police official notified and the time of notification. Such notification or failure to notify shall not be dispositive of willfulness and may be rebutted by other competent evidence.

66-22 EXCEPTIONS

This Article shall not apply to a dog owned or in the service of any government law enforcement agency. Nor shall it apply to any snake being displayed as part of an educational event when the event has been previously planned and scheduled with the permission of the person or authority having ownership or control of the location where the event will be held and persons present are given notice of the nature of the educational event.

66-23 PENALTY

Any violation of this Article or commission of an act declared unlawful by this Article shall be punished as a misdemeanor pursuant to Town of Front Royal Code Section 1-15.

It shall not be a defense to a charge placed under this Article that any animal is in fact not dangerous or is in fact docile. However, this Article is not intended to apply to an animal that is of such a size or appearance that reasonable persons would not be startled, afraid or placed in fear of harm to themselves, another person or a companion animal under the circumstances present at the time of any offense charged.

66-24 SEVERABILITY

It is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, and words of the Chapter are severable, and if any word, sentence, paragraph or section of this Chapter shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, sentences, paragraphs and sections of this Chapter, because the same would have been enacted by the Council without the incorporation in this Chapter of any such unconstitutional or invalid word, clause, sentence, paragraph or section.

REGULAR PLANNING COMMISSION MEETING

Wednesday, March 18, 2026 @ 7:00pm

Town Hall – 2nd Floor East Conference Room

I. CALL TO ORDER

II. ROLL CALL – DETERMINATION OF QUORUM

III. ADDITION/DELETION OF ITEMS FROM THE AGENDA

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

IV. APPROVAL OF MINUTES

- February 18, 2026 – Regular Meeting

V. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

VI. CONSENT AGENDA

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

1. **2600056** – A Special Use Permit Application to allow a Short-Term Rental, as defined in Town Code §175-3, submitted by Robert and Melissa Mitchell, and located at 1521 N. Royal Avenue, identified by Tax Map 20A3-3-66-21A. The property is zoned R-1, Residential District.
2. **2600105** – An application for a Zoning Text Amendment to define Firearms Retail Establishment and Firearms Manufacturing in Town Code 175-3 and amend Town Code 175-39.A & B to permit Firearms Retail Establishments by-right in the C-1 Community Business District and permit Firearms Manufacturing by Special Use Permit.

VII. OLD BUSINESS

1. Planning Commission By-Laws.
2. 2025 Annual Report.

VIII. COMMISSION MEMBER REPORTS

IX. PLANNING DIRECTOR REPORT

- February Monthly Report

X. ADJOURNMENT

**FEBRUARY 18, 2026
REGULAR MEETING MINUTES**



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

The Planning Commission meeting of the Town of Front Royal, Virginia, was held on February 18, 2026, at 7:00 PM at the Warren County Government Center.

CALL TO ORDER

Chairman Marshner called the February 18, 2026 meeting of the Planning Commission to order at 7:00 p.m.

ROLL CALL

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

Absent: Megan Marrazzo, Commissioner

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

ADDITION/DELETION OF ITEMS FROM THE AGENDA

There were no additions or deletions to the agenda.

APPROVAL OF MINUTES

- January 21, 2026 – Regular Meeting

Commissioner Fedoryka moved, seconded by Commissioner Brooks to approve.

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

VOICE VOTE



PUBLIC COMMENTS (NOT RELATED TO PUBLIC HEARINGS)

There were no speakers.

PUBLIC HEARING

1. **2500610** – A Special Use Permit Application to allow a Short-Term Rental, as defined in Town Code §175-3, submitted by Veronica Tello, and located at 214 Lee Street, identified by Tax Map 20A7-4-93. The property is zoned R-3, Residential District and is located in the Historic Overlay District.

Mr. Ware explained the application was for a short-term rental located at 214 Lee Street. Mr. Ware gave a virtual presentation showing the location of the property noting that the parcel contains three (3) off-street parking spaces located on the left side of the property. Staff conducted a site inspection on February 10th and found the property to be in compliance. The application specifies four (4) bedrooms and ten (10) people. However there is an additional bedroom on the first floor making a total of five (5) bedrooms to accommodate ten (10) people maximum which is allowed per Town Code.

The applicant Veronica Tello stated they live in Fairfax, VA and this would be a vacation house for them as well as a short-term rental for others to enjoy. The short-term rental will be registered with Airbnb. Ms. Tello stated that she is a realtor in Virginia and she will manage the property. She explained they will keep the exterior appearance historical and not change anything structurally. They are also keeping the interior appearance of the home in keeping with the time of construction in 1909.

Chairman Marshner opened the public hearing.

Joan Harding, 218 Lee Street, Front Royal, VA. Ms. Harding explained that she lived next door to 214 Lee Street and was unhappy with this being a short-term rental. She said this was a residential street and the houses are very close together. Ms. Harding felt that additional vehicles will create parking issues and expressed concern of renters throwing parties while staying there. She is against approving the Special Use Permit.

There were no additional comments. Chairman Marshner closed the public hearing.

Applicant rebuttal. Ms. Tello explained that renters will be required to be 25 years old or older. They will mainly focus on renting to families and will keep the maximum of cars to three (3). She stated that Airbnb has very strict laws on parties and if they receive any complaints she will be contacted by Airbnb and she would address the complaints immediately.



After some discussion the following motion was made.

In furtherance of the purposes and objectives contained in Town Code §175-1(B), Commissioner Brooks moved, seconded by Vice Chairman Neel that the Planning Commission forward a recommendation of approval for Special use Permit #2500610 for a short-term rental at 214 Lee Street, identified by Tax Map 20A7-4-93.

VOTE: Yes – Marshner, Brooks, Neel, Fedoryka

No – N/A

Abstain – N/A

Absent – Marrazzo

ROLL CALL

2. **2600013** - A Rezoning Application submitted by Dana Cline requesting an amendment to the zoning map to reclassify vacant lots on Grand Avenue identified by Tax Map 20A6, Section 6, Block 4, Parcels 11A and 14A, from R-1, Residential District to R-3, Residential District.

Mr. Ware explained the Rezoning Application was a request to rezone two (2) vacant lots on Grand Avenue from R-1, Residential District to R-3, Residential District. He presented virtually an aerial view of the vacant lots that are located near the intersection of Grand Avenue and Cypress Street. The property is currently zoned R-1. To the north of the vacant lots is R-3 zoning, and to the northwest is R-2. The R-3 parcels to the north of the proposed rezoning lots would abut the lots on the rear of the property.

Mr. Ware reviewed the size of the Grand Avenue lots. A conceptual drawing was shown of the potential duplexes on the lots if the rezoning is approved. The existing lots can be further subdivide into duplex lots. Mr. Ware proceeded to review lot size requirements for the R-1 and R-3 districts. He continued explaining setback requirements and noted that any new development would require the installation of sidewalks. The applicant provided a concept drawing that addressed Commissioner comments from their previous work session. Mr. Ware confirmed that the rezoning request aligns with the Viscoe City Planning Area Future Land Use Plan for Grand Avenue and is in agreement with the Comprehensive Plan.

Vice Chairman Neel asked if staff had looked at anything other than the Comprehensive Plan and was anything else considered.

Mr. Ware stated nothing else was considered. He asked Commissioners to keep in mind that the lots are larger with this rezoning request than the R-1 currently requires and larger for the R-3 district requirement for setbacks, lot width and depth.

The applicant, Dana Cline, stated he was the owner of the two (2) vacant lots on Grand Avenue and shared that he was born and raised in Front Royal. Mr. Cline thanked the Planning Commission for agreeing to hear his request. He noted that the Planning and Zoning staff was very helpful in explaining to him the rezoning process thoroughly. Mr. Cline expressed that he wants the



homeowners on Grand Avenue and Hoffman Heights to understand the he would never do anything to purposely ruin their neighborhood. He understands their concerns and wants them to know that no matter what is built on the lots they will be built to a high quality standard and tastefully done. There are great designs available for duplexes that look like a single-family home. Mr. Cline wanted to bring to the Planning Commissions attention that Orchard Street which is one street over from his vacant lots is zoned R-3. He noted that on Orchard Street there are duplexes on one side of the street and single-family dwellings on the opposite side of the street. No matter what decision is made on his rezoning request he reiterated that he would be a good neighbor and hold no grudge against the neighbors for their views and opinions. In turn, he hoped they would not hold a grudge against him for merely trying to make the most of his investment.

Mr. Cline answered questions from Chairman Marshner stating there will be concrete driveways in the front of the structures and staggered construction of the duplexes. He also answered that he will not be living in the new structure(s).

Chairman Marshner explained the process for speaking at the public hearing.

Chairman Marshner opened the public hearing.

Dr. Nancy Lee, 214 Grand Avenue, Front Royal, VA. Dr. Lee said she respectfully opposes rezoning the two (2) lots from R-1 to R-3. There are many areas in the community that are zoned R-3 and specifically intended for townhouses and higher density development. The builder can pursue this project in those locations rather than altering the zoning of longstanding R-1 properties on Grand Avenue. She is very concerned about the precedent it would set if the two (2) vacant lots are rezoned from R-1 to R-3. Dr. Lee stated she was not opposed to growth but was opposed to rezoning parcels in established neighborhoods.

Karissa Green, 327 Grand Avenue, Front Royal, VA. Ms. Green expressed that she did not oppose growth but asked that the Town follow their own rules and policies consistently and transparently. The staff report relies heavily on the future land use map to support the rezoning request. They understand that the Comprehensive Plan allows that map to be used as a planning tool. However the map is guidance and not an automatic determination of zoning outcomes. The Comprehensive Plan also says that infill development should match the character of existing neighborhoods. Ms. Green is opposed to approving the rezoning application.

Anne Boyd Earle, 400 Grand Avenue, Front Royal, VA. Ms. Earle thanked the Planning Commission for the opportunity to speak and shared her history in Front Royal and living on Grand Avenue. She is opposed to approving the rezoning request.

Trey Stanford, 314 Salem Avenue, Front Royal, VA. Mr. Stanford read a letter from his mother who lives at 303 Grand Avenue and lives next door to the parcels involved in the rezoning. They are opposed to the rezoning request.



Mary Stanford, 314 Salem Avenue, Front Royal, VA. Ms. Stanford asked the Planning Commission do deny the rezoning application. She expressed concern that the rezoning would create a depreciation of the homes on Grand Avenue.

Andrea Stewart, 425 Grand Avenue, Front Royal, VA. Ms. Stewart spoke against the rezoning application. She gave a brief history of her and her husband's years on Grand Avenue and referred to the appearance of Grand Avenue to include the landscaping and large trees that she did not want to change.

Collin Stewart, 425 Grand Avenue, Front Royal, VA. Mr. Stewart said he feared that a rezoning from R-1 to anything else would disrupt the integrity of their investment and those of all their neighbors. He opposed approval of the rezoning request and asked Planning Commissioners to vote no.

Donald Jansen, 301 Salem Avenue, Front Royal, VA. Mr. Jansen said he agrees with what previous speakers have said. He believes himself and others on Grand Avenue would like to see single-family homes built on the vacant lots and not duplexes. The request to rezone the lots is coming from someone who does not live on Grand Avenue. Mr. Jansen asked the Planning Commission to deny the rezoning application.

Mark-Pierre Jansen, 316 Cypress Street, Front Royal, VA. Mr. Jansen expressed that townhomes/duplexes would change the integrity of the area and asked the Planning Commission to vote to deny the rezoning request.

Pattie McHugh, 334 Grand Avenue, Front Royal, VA. Ms. McHugh thanked the Planning Commission for their labors on behalf of the Town and gave a brief history of how she came to live on Grand Avenue. She expressed concern that duplexes would alter their street and negatively impact their property values. Ms. McHugh asked Commission members to protect the integrity of their neighborhood and deny the rezoning application.

Laura Gilliam, 304 Grand Avenue, Front Royal, VA. Ms. Gilliam voiced her objection for the rezoning request. She explained that she purportedly purchased 304 Grand Avenue and the adjoining lots because of its R-1 designation in an established neighborhood. Development on Grand Avenue should remain low concentration.

Amanda Slate, 3762 Browntown Road, Front Royal, VA. Ms. Slate said she is a local real estate agent and she is not in favor of rezoning these lots to R-3. She stated that there is a big quantity of townhomes currently on the market. Affordable housing has been sitting on the market for well over a year. Most of those townhomes started on the market for over \$400,000 which would have a house payment of \$2800 a month. Many of those prices have come down and some of the local builders have had to rent those units because they are not able to sell them. Ms. Slate voiced there is more of a need for single-family dwellings for the aging community, teachers and for families. She noted that townhomes do not accommodate the growing population of people that need one levels.



Anthony D'Andrea, 213 Salem Avenue, Front Royal, VA. Mr. D'Andrea spoke against approval of the rezoning request. He reviewed pros and cons related to the rezoning request.

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

Vice Chairman Neel moved, seconded by Commissioner Fedoryka that the Planning Commission forward a recommendation of denial for Rezoning Application #2600013 requesting an amendment to the zoning map to reclassify two vacant lots on Grand Avenue, identified by Tax Map 20A6, section 6, Block 4, Parcels 11A and 14A, from R-1, Residential District to R-3, Residential District.

Vice Chairman Neel explained his reasons for making his motion.

1. Although the Comprehensive Plan identifies this area as appropriate for higher-density residential in the longer term, the Plan is advisory and not self-implementing. The proposal represents an isolated implementation of higher-density policy that is inconsistent with the established development pattern of the immediate vicinity creating an abrupt transition in land use that adversely affects surrounding properties and is inconsistent with orderly and coordinated growth.
2. While higher density is envisioned generally in this area, the Comprehensive Plan also emphasizes compatibility and protection of established neighborhoods. The requested R-3 designation creates an abrupt density transition inconsistent with orderly and phased implementation.

Commissioner Fedoryka referred to Town Code where it states that infill development preserves the character. Though it does abut with R-3 there is a natural demarcation between the two zones and she believes that it would adversely affect a whole host of people. It appears that the cost outweighs the benefit in that respect.

Chairman Marshner applauded so many of the property owners for speaking at the public hearing and mentioned some of the words she heard when property owners were speaking such as violation of covenant, trust, serenity, and integrity. These comments reflect a very intense and very positive community feeling.

VOTE: Yes – Marshner, Fedoryka, Brooks, Neel

No – N/A

Abstain – N/A

Absent – Marrazzo

ROLL CALL

3. **2600021** – A Special Exception Application submitted by Monteverde Engineering & Design Studio on behalf of Squirrel Hill 1 LLC, requesting an exception from Town Code Chapter 148-860.6.e. retaining wall height requirements of six feet (6'), and requesting



to increase the maximum allowable wall height, for properties located on Orchard Street, identified by Tax Map 20A6, Section 5, Parcels 8-1, 8-2, 8-3, 8-11, and 8-12.

Mr. Ware explained that Special Exception Application #2600021 was a request for an exception from Town Code Chapter 148-860.6.e which limits the maximum height of retaining walls to six feet (6'). A virtual presentation ensued showing the location of the parcels on Orchard Street. The applicant is asking to increase the maximum height to ten feet (10'). Mr. Ware reviewed portions of the Subdivision Ordinance related to the request.

Because of the steepness of the slope in the rear yard retaining walls will be constructed. By increasing the height of the retaining wall to ten feet (10') it would maintain proper drainage away from the structures. The retaining walls would require an engineered design based on the soils report. Staff does not approve the engineered design but only the location of the wall. The Warren County Building Department will review the plans of the retaining wall designed by a registered design professional.

Vice Chairman Neel mentioned that the Town is responsible for reviewing slopes that are associated with the retaining wall height and drainage. When you adapt something to the wall and change the slope that would be something else the Town would be concerned about during the review and approval.

Mr. Ware said this site does have steep slopes. Under the steep slope part of the code retaining walls are encouraged. With that, there is limitations of six feet (6') which is why the applicant is asking for a Special Exception. The soils report determines what the best engineering design would be based on the soil conditions. The applicant is asking for the increase in height to facilitate water away from the retaining wall with a planned pocket in the rear of the wall to dissipate the water to the edge of the homes so the water will not cascade over the top of the retaining wall.

Vice Chairman Neel asked how staff would know if there was a substantial change to the Plan.

Mr. Ware explained that the applicant is awaiting final approval from Town Council for the Special Exception before they submit the final plan with the design of the retaining wall included in the plan. This will then be reviewed by staff.

Vice Chairman Neel asked if the applicant changes something substantially in the design of the slopes or retaining wall would it come back to the Planning Commission for review.

Mr. Ware explained that effective July 1, 2025 the State of Virginia revised state code to say plans will not go before the Planning Commission or Town Council for approval or denial and will be reviewed and approved or denied administratively.

Ms. Kopishke shared that the Special Exception is giving the applicant a buffer and some latitude to design the wall as they need to as they move through this administratively.



The applicant Donald McCarty, Clifton, VA shared reasons for requesting the higher wall.

Chairman Marshner expressed that the issue was the safety of the houses that will be located on the other side of the retaining wall.

There was some additional comments from Mr. McCarty.

Ms. Kopishke reiterated that staff and Warren County Building Inspections will be reviewing the plan for the retaining wall. She noted that the applicant will not build a retaining wall that will fall down.

After some brief comments Chairman Marshner opened the public hearing.

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

In furtherance of the purposes and objective contained in Town Code §175(B), Commissioner Brooks moved, seconded by Vice Chairman Neel that the Planning Commission forward a recommendation of approval for Special Exception #2600021 submitted by Monteverde Engineering & Design on behalf of Squirrel Hill 1 LLC requesting a Special Exception from Town Code Chapter 148-860-A.6.e which limits the maximum height of a retaining wall to six feet (6') and increase the maximum allowable wall height to ten feet (10'), for undeveloped properties located on Orchard Street, identified by Tax Map 20A6, Section 5, parcels 8-1, 8-2, 8-3, 8-11, and 8-12.

VOTE: Yes – Fedoryka, Marshner, Neel, Brooks

No – N/A

Abstain – N/A

Absent – Marrazzo

ROLL CALL

4. **2500319** – A Zoning Text Amendment to Town Code sections §175-3 – Definitions, to define the use of an “Auxiliary Dwelling Unit”; §175-11, §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 to establish §175-115 “Auxiliary Dwelling Unit” performance standards within the Supplementary provisions of Town Code.

Mr. Ware explained this is a text amendment for auxiliary dwelling units as a by-right use and to establish sections 175-115 for Auxiliary Dwelling performance standards with the Supplementary Provisions of Town Code. The Planning Commission has worked numerous months on this amendment. Mr. Ware reviewed the proposed changes in the text amendment.

175-3 - DEFINITIONS

ACCESSORY USE - A use of a building, lot or portion there of 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.

Below are the proposed Performance Standards:

175-115 – Auxiliary Dwelling Unit (ADU)

The ADU ordinance permits one (1) 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. The applicant shall submit a notarized statement attesting that they are residing on the property, in either the primary or auxiliary unit.*
- C. Detached ADUs cannot exceed 1000 square feet or 80% of the gross floor area of the principal dwelling, whichever is less.*
- D. Detached ADUs shall be a minimum of 600 square feet.*
- 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 where the ADU is located.*
- F. As part of the application process, Town staff will conduct an inspection prior to final approval.*
 - 1. Staff will reach out to the property owner to schedule an annual inspection to recertify the ADU is compliant with code.*
 - 2. The Zoning Administrator or designee may inspect a property if there is a complaint registered with the Town or if the official has other reason to believe that the owner or occupants are in violation of the ADU approval.*



-
- 3. The owner shall make provisions to allow inspections of the property by town personnel during reasonable hours with prior notice.*
- G. The ADU shall meet the applicable regulations for safety, health and sanitation through the appropriate County agencies.*
- H. Upon transfer of ownership of the subject property, the new owner shall be required to certify in writing to the Zoning Administrator that either:*
- 1. Continued use of the ADU will comply with the conditions of the previous approval for the ADU use or;*
 - 2. The ADU will no longer be used as a separate dwelling unit.*

Commissioner Fedoryka asked how staff would know about what is stated in “H”.

Mr. Ware explained this is in the approval process of the application and per the Town Code property owners will be contacted to set up annual inspections.

Chairman Marshner opened the public hearing.

Laura Gilliam, 304 Grand Avenue, Front Royal, VA. Ms. Gilliam voiced she did not believe this was a good plan. She expressed concern that when somebody goes to sell their property and has an ADU, how would this be disclosed to a buyer. Ms. Gilliam also expressed concern for ongoing issues with parking. She noted that she holds a lot of rentals and some of the primary problems are always with parking and trash.

Rhonda North, 1019 Goodview Drive, Front Royal, VA. Ms. North shared that she has forty (40) years of experience as a local government employee with almost twenty (20) of those years being an employee with the Town of Front Royal. She stated that she is a lifelong resident of Front Royal. She respectfully requests that the Planning Commission recommend denial of the proposed ordinance for the following reasons: 1) cost of ADUs; 2) nothing in the ordinance that would restrict them to family use; 3) owner occupied of the primary unit (courts in Virginia have held that such zoning requirements are illegal); 4) water supply issues; 5) adding housing units to backyards will mean less trees and less vegetation which exacerbates water supply issues; and 6) she does not believe there is enough staff to enforce the ordinance. Ms. North referred to the agenda packet containing a staff support paper referencing House Bill 2293 as the justification for staffs recommendation of approval. She stated that House Bill 2293 was killed in 2025 and not adopted by the General Assembly and a similar bill, House Bill 611 in 2026 also did not pass and was continued to 2027. Ms. North does not understand how House Bill 2293 supports the adoption of this ordinance.

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



For the public necessity, convenience, general welfare, and good zoning practice, Commissioner Fedoryka moved, seconded by Vice Chairman Neel that the Planning Commission forward a recommendation of approval to the Town Council to approve a text amendment to Town Code sections §175-3 - Definitions, to define the use of an “Auxiliary Dwelling Unit”; §175-11, §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 to establish §175-115 “Auxiliary Dwelling Unit” performance standards within the Supplementary Provisions of Town Code.

Vice Chairman Neel explained the text amendment has gone back and forth several times between the Planning Commission and Town Council and has gone through legal scrutiny when going through the process. He does not believe illegality is an issue. The text amendment is intended for granny flats and for auxiliary housing for family members. It envisions ADUs to be used as rental income for people to be able to stay in their homes as long as one of the residence remains owner occupied.

Chairman Marshner believes the proposed ordinance would be conducive to multigenerational living which is a good thing on any level as well as good land use in times of housing shortages. Families can stay together and age in place.

VOTE: Yes – Marshner, Neel, Brooks, Fedoryka

No – N/A

Abstain – N/A

Absent – Marrazzo

ROLL CALL

ELECTION OF OFFICERS

- Chairman

Commissioner Fedoryka moved, seconded by Commissioner Brooks to nominate Commissioner Neel as Chairman.

VOTE: Yes – Marshner, Fedoryka, Neel, Brooks

No – N/A

Abstain – N/A

Absent – Marrazzo

ROLL CALL

- Vice Chairman

Commissioner Brooks moved, seconded by Vice Chairman Neel to nominate Ms. Marrazzo as Vice Chairman.



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

ROLL CALL

NEW BUSINESS

- 2025 Annual Report.

Chairman Marshner asked staff to comment on the annual report.

Ms. Kopishke explained that the annual report is a state requirement and the Planning Commission would need to formally accept the report.

COMMISSION MEMBER REPORTS

There were no comments.

PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the January monthly report.

Staff continues to work with Summit Engineering to provide a Draft Subdivision Ordinance for review by the Planning Commission. This will be reviewed in conjunction with the Zoning Ordinance.

By the end of 2026 it will be time to begin reviewing the Comprehensive Plan. The Comprehensive Plan will need to be recertified.

ADJOURNMENT

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

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

VOICE VOTE

The meeting was adjourned at 8:57 p.m.

Approved by Planning Commission
Date: _____

CONSENT AGENDA ITEM 1

2600056 – A SPECIAL USE PERMIT APPLICATION TO ALLOW A SHORT-TERM RENTAL, AS DEFINED IN TOWN CODE §175-3, SUBMITTED BY ROBERT AND MELISSA MITCHELL, AND LOCATED AT 1521 N. ROYAL AVENUE, IDENTIFIED BY TAX MAP 20A3-3-66-21A. THE PROPERTY IS ZONED R-1, RESIDENTIAL DISTRICT.

Town of Front Royal
Department of Planning and Zoning
102 East Main Street
PO Box 1560
Front Royal, VA 22630

Main: 540.635.4236
Fax: 540.631.2727
planning@frontroyalva.com

Permit #: 2600056
Fee Amount: \$1200.00 Check # 2234
Date Paid: 2-17-26
Date Received: 2-17-26

SPECIAL USE PERMIT REQUEST FOR SHORT TERM RENTAL

APPLICANT:

NAME: ROBERT + MELISSA MITCHELL PHONE: 704-267-3507
ADDRESS 12373 SAN JOSE DR.; RESTON, VA 20191
E-MAIL _____

PROPERTY OWNER:

NAME: SAME PHONE: _____
ADDRESS _____
E-MAIL _____

PROPERTY DESCRIPTION:

PROPERTY ADDRESS 1521 N. ROYAL AVE.
TAX MAP 20A3 SECTION 3 BLOCK 66 LOT 21A
SUBDIVISION NAME _____
ZONING DISTRICT R-1 ACREAGE 4.3
SPECIFIC SPECIAL USE PERMIT REQUEST _____

- ☒ Whole house rental ☐ Partial rental, # of rooms rented _____
☐ Primary Residence ☒ Secondary Residence

ATTACHMENTS: The following must be submitted with the application. Additional information may be required depending on the nature of the request.

- ☒ Survey plat or sketch to scale of property showing all **existing** improvements, parking and refuse area and property boundaries.
☒ Provide a map of area attractions
☒ Provide proof that notification to operate was sent to the HOA, if applicable.
☒ Complete management plan.
☒ Written consent given to the Town to inspect for compliance.
☒ Emergency dwelling evacuation diagram (posted in each bedroom)
☒ Application fee of \$1200.00

RECEIVED
FEB 17 2026
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

IN CASE OF AN EMERGENCY

If there is an emergency, or there are questions in regard to the property, please contact (owner) ROBERT MITCHELL
at (phone number) 704-267-3507 or (property manager) MELISSA MITCHELL
at (phone number) 704-645-7115.

If the emergency requires immediate assistance, please call the following or 911.

Front Royal Police Department: 540-635-2111 or 911, 900 Monroe Ave, Front Royal, VA 22630

Front Royal Fire Department: 540-635-2540 or 911, 221 N Commerce Ave, Front Royal, VA 22630

****If no answer please call the Warren County Sheriff's Department:** 540-635-4128 or 911

Front Royal Fire & Rescue: 540-635-3830 or 911, 200 Skyline Vista Drive, Front Royal, VA 22630

Warren Memorial Hospital: 540-636-0300 or 911, 351 Valley Health Way, Front Royal, VA 22630

Electrical Outage: 540-635-3027, 1101 Manassas Avenue, Front Royal, VA 22630. Outages may be reported online at <https://www.frontroyalva.com/FormCenter/Energy-Services-6/Report-Electric-Problem-46>.

Emergency/afterhours 540-635-2111

OCCUPANCY

The Special Use Permit limits the occupancy for this short-term rental at 10 People and 6 Bedrooms.

NOISE

It shall be a violation of Chapter 106 of the Front Royal Town Code for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration, or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him.

PARKING

Minimum available parking is 8 vehicle(s) in the driveway.

TRASH AND RECYCLING

All trash and recycling shall be placed in containers provided by the owner.

- Trash receptacles are located (Clarify location of trash bags and receptacles)

BESIDE THE REAR PORCH, OFF OF THE KITCHEN

- Trash is collected (State the day of the week trash is picked up by the Town and where the container is to be placed on trash day)

Monday

CHECK-IN & CHECK-OUT

Provide details

check in is 4pm
checkout is 11am
guests will use door code

WIFI/PHONE/ETC

Provide details for special amenities if available

WIFI provided
password will be provided upon reservation

SPECIFIC PROPERTY DETAILS

Provide details regarding acreage, landscape, property boundaries (no trespassing notice), unique characteristic, warnings, kitchen use, house amenities, HVAC, etc.

Property boundaries are marked by woods at the left and the edge of the driveway on right. 4.3 acres includes an ADU/cottage which serves as the owner's second home. Please do not disturb.

AREA ATTRACTIONS

Provide a map of area attractions

- Attractions: i.e., Shenandoah National Park, Shenandoah River State Park, Skyline Caverns, Golf Courses, Canoe Companies
- Groceries & Convenience: i.e., Walmart, Target, Martins, CVS
- Restaurants
- Wineries & Breweries

SPECIFIC PROPERTY REGULATIONS

May be dictated by approved conditions or owner preference, examples below

- No shooting of firearms
- No outdoor fire burning
- No fireworks

See the house manual in the booking agreement

- K. The owners of the rental shall provide an emergency evacuation plan for the dwelling and the neighborhood.
- L. A copy of Chapter 106 of the Town of Front Royal Code relative to noise must be provided at the short-term dwelling.
- M. All outdoor burning shall be in compliance with Chapter 78 of the Town of Front Royal Code.
- N. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation by the Zoning Administrator at any time.

Property Owner's Signature: Robert M Mitchell

CERTIFICATION:

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

Signature Robert M Mitchell Date 2/11/26

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

As per Town Code Chapter 175-3 “Definitions”

Short-term rental- means the provision of a room or space that is suitable for, intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy. Any residential use that falls within the definition of short-term rental as defined in § 15.2-983, as amended, of Virginia State Code.

Short-term rental facility – A building or accessory structure, other than a hotel, motel, or bed-and-breakfast home, where lodging is provided for compensation on a short-term basis, and open to the public or transient guests. The maximum number of occupants shall not exceed ten (10) unless determined appropriate by Town Council.

Short-term rentals shall be permitted in all Zoning Districts by Special Use Permit and shall at a minimum meet the following requirements:

- A. The short-term rental owner of a dwelling unit to be used for a short-term rental shall apply for a Special Use Permit through the Department of Planning and Zoning and receive approval from Town Council prior to utilizing the dwelling unit as a short-term rental. Town Council may impose conditions necessary to mitigate adverse effects of the use on neighboring properties.
- B. The one-time application fee shall be \$1200.00.
- C. Staff will conduct an inspection prior to the issuance of the Special Use Permit approval. Additional inspections will be conducted on a complaint basis to ensure compliance with the performance standards listed in this section, along with any additional conditions imposed by Town Council, if applicable.
- D. The maximum number of occupants in the dwelling unit shall be determined by the number of bedrooms; there shall be no more than two (2) adults per bedroom. However, the maximum number of occupants shall not exceed 10 people unless approved by Council.
- E. Parking for the use shall be located in driveways or other designated and approved parking areas.
- F. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- G. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the current Uniform Statewide Building Code; and a carbon monoxide detector must be installed on each floor in every dwelling.
- H. The owner of the dwelling used for short-term rentals shall give the Town written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards upon a twenty-four-hour notice.
- I. A property management plan demonstrating how the short-term rental will be managed and how the impact on neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants and utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to Town staff, public safety officials and, if applicable, the HOA of the subdivision. The plan must be provided as part of the rental contract.
- J. If the property is located within a subdivision governed by a homeowners' association, the Planning Department must receive proof that a notification to operate the short-term rental was sent to the HOA.

SKYLINE CABINS
Property Management Plan/Guest Agreement for
“Edge Hill” (1521 N. Royal Ave.; Front Royal, VA)

Welcome to the House Manual and guest agreement for Edge Hill, a property managed by **Skyline Cabins**. We offer properties throughout the Shenandoah Valley accommodating two to ten guests. For additional information, please visit:
www.skylinecabins.net

CONTACT / EMERGENCIES

Most booking platforms require guest communication to occur through their messaging systems. Please use the platform messenger for non-urgent matters.

- **In case of emergency, dial 911.**
- Front Royal Police Department: 540-635-2111
- Front Royal Fire Department: 540-635-2540
- Front Royal Fire & Rescue: 540-635-3830
- Warren Memorial Hospital: 540-636-0300
- Electrical Outage: 540-635-3027, Emergency/After Hours: 540-635-2111

- **Owner Contact:**
Robert & Melissa Mitchell (Owners)
571-441-1713
- **If the owners cannot be reached or a faster response is required:**
Chris Morrison
540-252-9282

PARKING

- Because the owners use the cottage as a second home, **no more than six (6) vehicles** are permitted without prior approval. At no time will more than eight (8) vehicles be permitted, including vehicles for the second home/cottage.
- Street parking is prohibited at all times, and vehicles are subject to towing if they are left on the street or blocking access to the parking area on the property.

WIFI ACCESS

Network: Skyline Cabins

Password: Shenandoah! (case sensitive)

If Wi-Fi goes down, unplug the router for 30 seconds and reconnect. This resolves most issues.

ARRIVAL / DEPARTURE

- **Check-In:** 4:00 PM
Instructions + door code sent 2–4 days prior.
- **Check-Out:** 11:00 AM

- Yelling or disorderly conduct
- Vehicle noise/revving
- Nighttime outdoor activity

COMPLAINT RESPONSE POLICY

If a disturbance is reported:

1. One warning may be issued (when feasible).
2. Continued violations may result in:
 - Immediate eviction
 - No refund
 - Fines/damage claims
 - Law enforcement involvement

Severe disturbances may result in immediate removal without warning.

OCCUPANCY/PARTIES / EVENTS

Parties and events are strictly prohibited.

No gatherings exceeding booked occupancy of **10 guests**.

SHORT-TERM RENTAL (STR) COMPLIANCE

- This property operates as a permitted short-term rental under applicable Warren County/Town of Front Royal regulations.
- By staying at the property, guests agree to comply with:
 - Occupancy limits
 - Parking rules
 - Trash handling
 - Fire safety laws
 - Noise ordinances
 - Nuisance regulations
- Violations of house rules or conditions of the STR permit may result in:
 - Immediate termination
 - Removal without refund
 - Financial liability for fines, citations, or permit penalties

FIRE SAFETY

The property is equipped with smoke detectors, carbon monoxide detectors, fire extinguishers, and code-compliant emergency egress. Tampering with or disabling safety equipment is prohibited and may result in immediate termination without refund.

PET POLICY

Sorry, but because of the historic nature of this property and the quality of furnishings and finishes, no pets are permitted under any circumstances.

HOLIDAY RESTRICTIONS

- No check-ins or check-outs on:

Fire pit use must comply with **Front Royal Town Code Chapter 78** and Virginia burn laws.

- No open burning is permitted, only use of the provided firepit with a screen
- Firewood/approved logs only
- No trash, brush, debris
- Follow burn bans
- Fires supervised at all times
- No high-wind use
- Fully extinguish after use
- Do not move fire pit
- Must remain ≥ 25 ft. from structures
- Violations may result in:
 - Municipal fines
 - Fire response charges
 - Property damage liability
 - Revocation of fire pit privileges

Use constitutes agreement to these laws.

PUBLIC NUISANCE / DISORDERLY CONDUCT

Any conduct deemed a nuisance — including illegal activity, repeated complaints, or unsafe behavior — may result in:

- Immediate removal
- Forfeiture of charges
- Security claims
- Law enforcement referral

LINENS

- Extra bedding → closets/dressers
- Decorative shams not for use
- Extra towels → under sinks
- Non-white towels → hot tub
- Cleaning cloths → under sink

INVENTORY

Report missing/damaged items promptly.

NEST THERMOSTAT / HVAC

Rotate ring → adjust temperature

Press face → confirm selection

INCLEMENT WEATHER

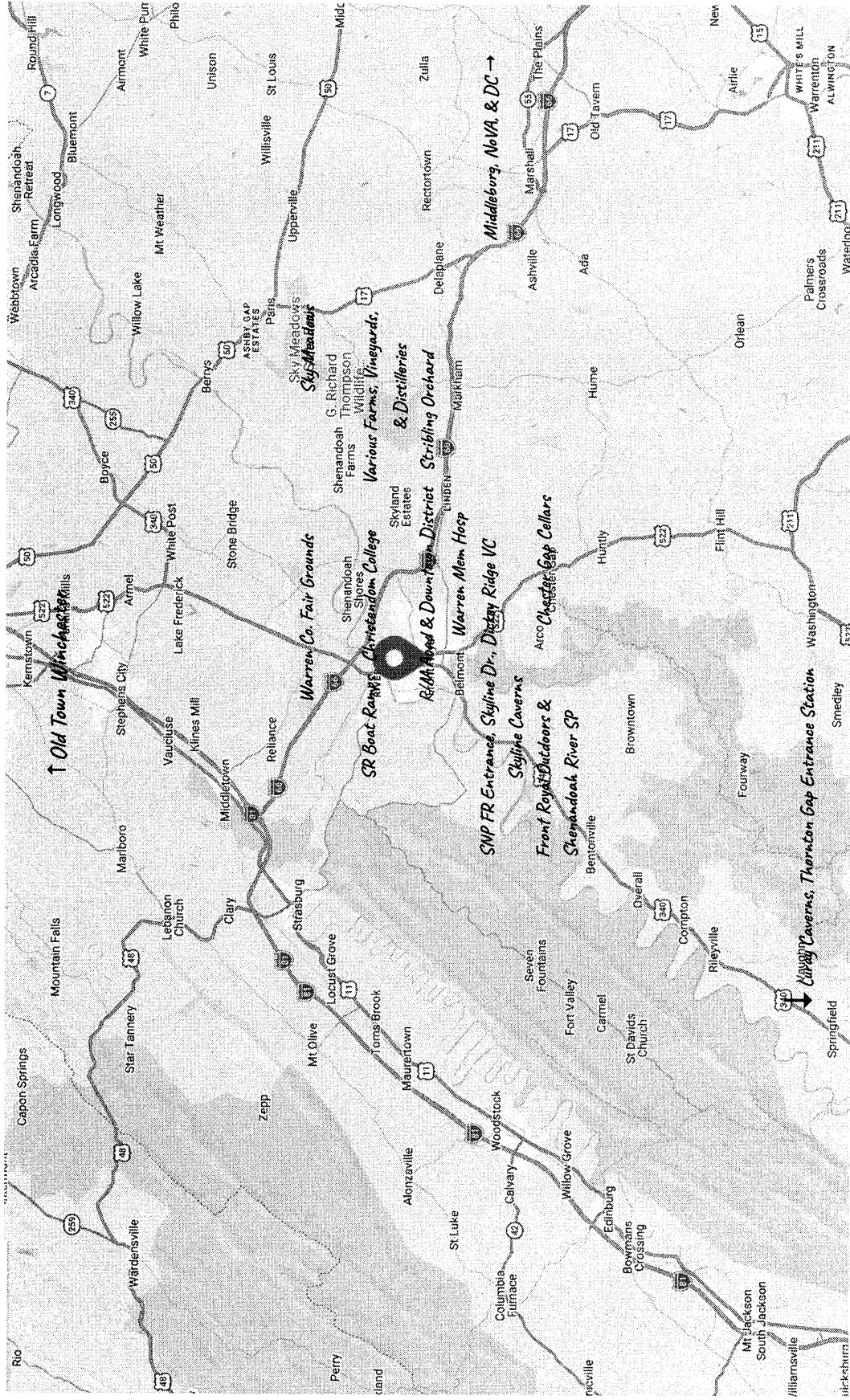
Driveways plowed after ~2" snowfall.

AWD recommended for steep drives. Road clearing is managed by local crews.

Consent to Inspect

We, the owners of 1521 N. Royal Avenue; Front Royal, VA, do give staff of the Town of Front Royal permission to inspect our property for compliance of STR regulations.

M Mitchell 2/16/20
Melissa A Mitchell 2/16/2020

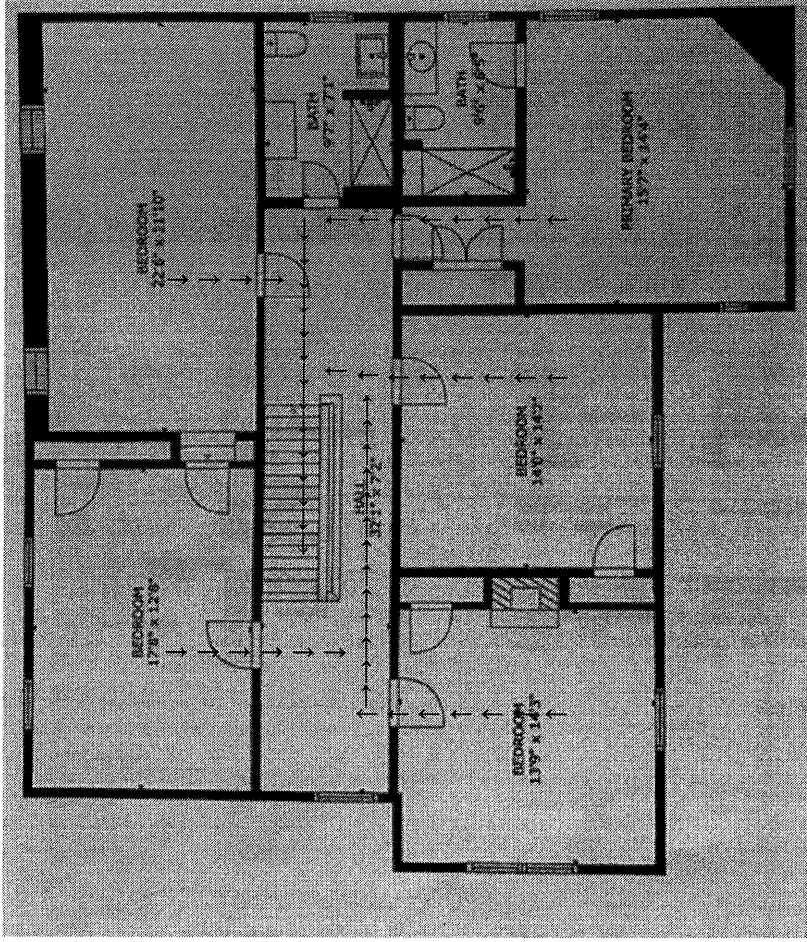
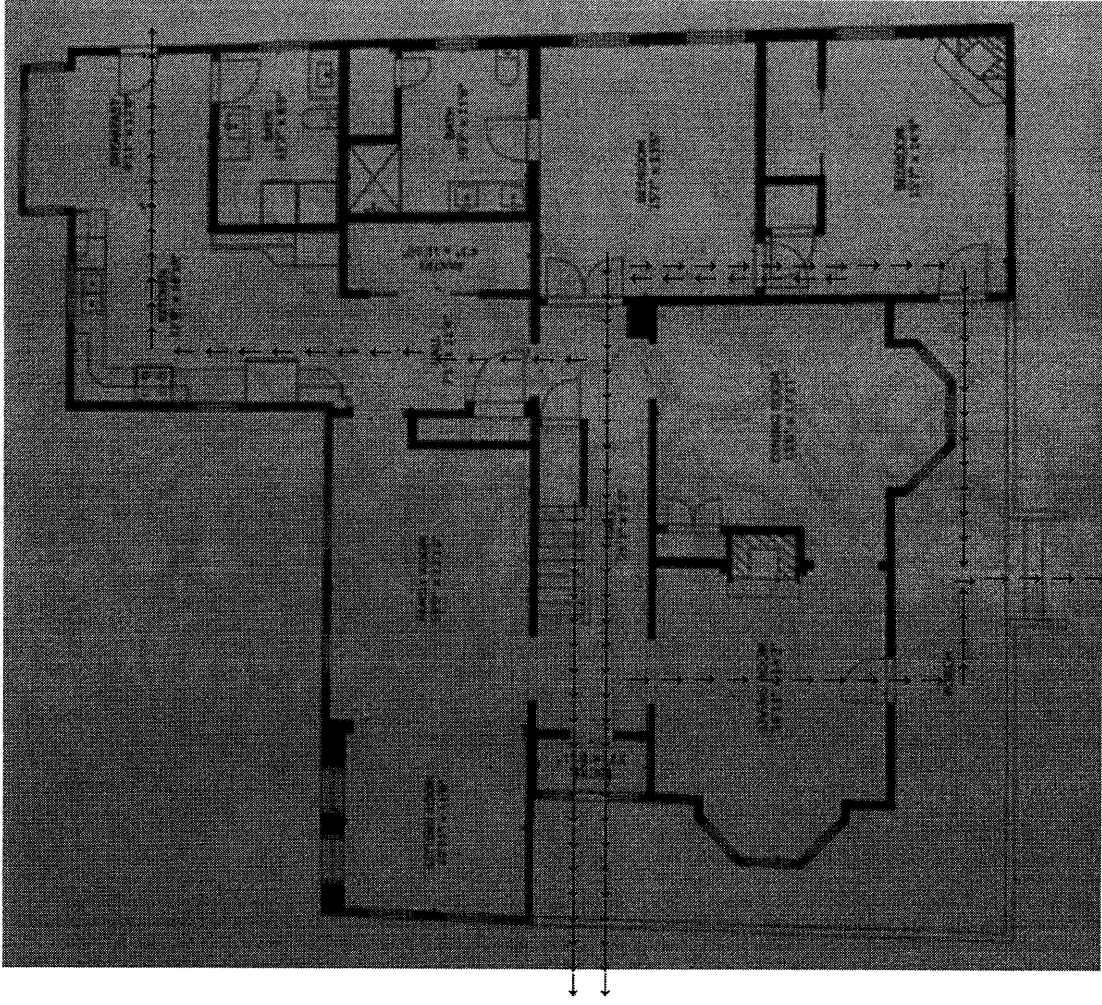


Nearby Attractions for 1521 N. Royal Ave.

FIRE EVACUATION MAP

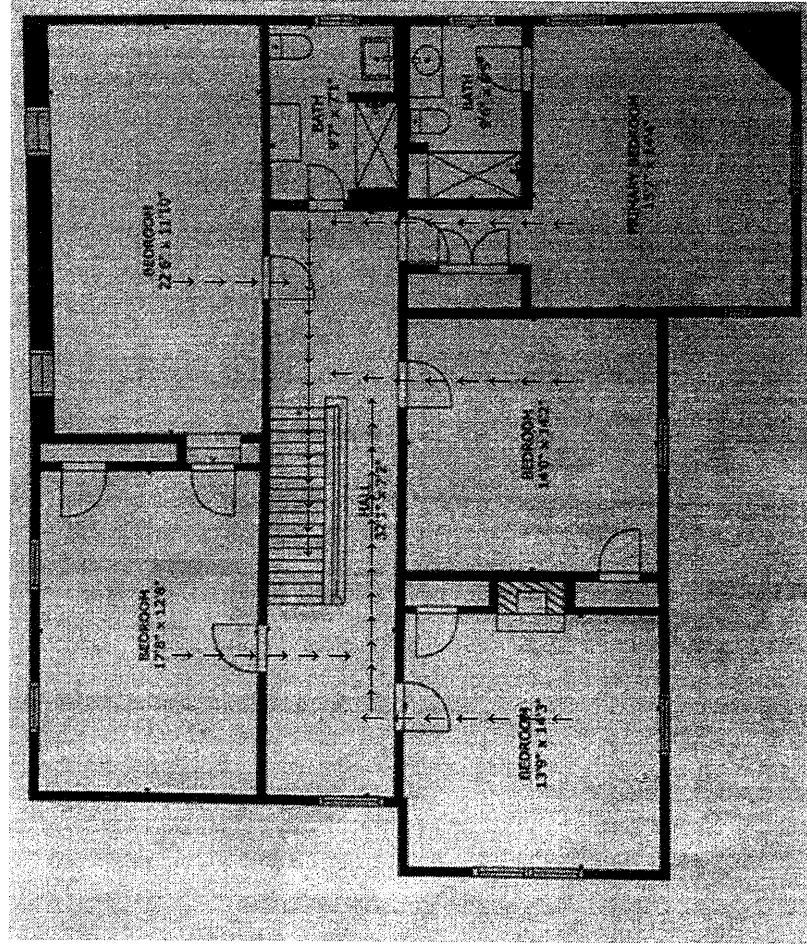
→ **FIRST FLOOR**

↑ SECOND FLOOR



This is a detailed architectural floor plan of a building, possibly a school or a government office. The plan is oriented with a north arrow pointing towards the top right. The layout includes a large central hall or atrium, several classrooms or lecture halls, a library, a cafeteria, and administrative offices. The drawing is a black and white line drawing with some shading to indicate depth and structure. The plan shows various rooms, corridors, and service areas, providing a comprehensive view of the building's interior layout.

↑ **SECOND FLOOR**



CONSENT AGENDA ITEM 2

2600105 – AN APPLICATION FOR A ZONING TEXT AMENDMENT TO DEFINE FIREARMS RETAIL ESTABLISHMENT AND FIREARMS MANUFACTURING IN TOWN CODE 175-3 AND AMEND TOWN CODE 175-39.A & B TO PERMIT FIREARMS RETAIL ESTABLISHMENTS BY-RIGHT IN THE C-1 COMMUNITY BUSINESS DISTRICT AND PERMIT FIREARMS MANUFACTURING BY SPECIAL USE PERMIT.

Town of Front Royal
Department of Planning and Zoning
102 East Main Street
PO Box 1560
Front Royal, VA 22630

Main: 540-635-4236
Fax: 540-631-2727
planning@frontroyalva.com

Permit: # 2600105
Fee Amt: \$650.00
Date Paid: 3/9/26
Date Received: 3/9/26

ORDINANCE / TEXT AMENDMENT APPLICATION

APPLICANT:

NAME: David Cressell PHONE: 540-305-9845
ADDRESS 275 Gary Ln Front Royal, VA 22630
E-MAIL _____

TYPE OF REQUEST – Please mark type of request and complete information.

☒ **ZONING ORDINANCE TEXT AMENDMENT (Town Code Chapter 175)**

Code Section: 175-3 + 175-39

Description of amendments: Establishing Firearms Retail as any business engaged in the sale, manufacturing for sale or repair of firearms (guns/shotguns) where the assembly of firearms accounts for less than 35% of the retail stored inside of the commercial code instead of industrial. Also making Firearms Manufacturing and large scale assembly or making firearms for whole sale or distribution

☐ **LAND SUBDIVISION TEXT AMENDMENT (Town Code Chapter 148)**

Code Section: _____

Description of amendments: _____

REQUIRED MATERIALS LIST

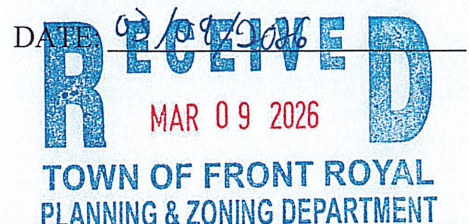
- ☒ One (1) copy of application (this form completed).
☒ Letter explaining request and public purpose necessitating the amendment.
☒ Application Fee – Check # _____ Cash _____ Card ✓
☒ Copy of text amendment.

All public hearing materials must be submitted at one time by 4:30 PM on the deadline date for the next regular meeting in order to be placed on the agenda. **Only complete applications, which include all the above materials, will be accepted.**

I/we hereby certify that I/we own property within the Town of Front Royal and that the above information is complete and correct.

SIGNATURE: David Cressell
Applicant

June 11, 2025



175-3 DEFINITIONS

Firearms Retail Establishment: any business engaged in the sale, manufacture for sale, or repair of firearms and where the assembly of firearms accounts for less than 35% of the retail area.

Firearms Manufacturing: a large-scale assembly or making firearms for wholesale or distribution.

COMMUNITY BUSINESS DISTRICT (C-1)

175-38 STATEMENT OF INTENT (C-1)

The Community Business C-I District is intended to accommodate general business areas, highway-oriented commercial uses, and selected retailing operations. The Community Business C-I District recognizes the demand for a variety of land uses near or adjacent to the major traffic arteries in Town.

175-39 USE REGULATIONS (C-1)

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

RESIDENTIAL:

Up to three (3) dwelling units of any type, but not on the ground floor.

Caretaker quarters.

COMMERCIAL:

Appliance stores and repair services.

Assembly Halls.

Automobile and truck sales lots and leasing agencies, in accordance with Section 175-44.E.

Automobile service stations, in accordance with Section 175-110.

Bakeries, when products are sold as retail on the premises.

Banks, branch banks, and financial institutions.

Barber and beauty shops.

Car washing.

Catering Services.

Contractor's offices, display rooms and storage.

Commuter parking facilities.

Department Stores.

Drugstores.

Firearms Retail

Florist shops/floral designers.

Funeral homes.

Furniture stores.

Grocery stores.

Hardware stores.

Laundries, Laundromats and dry cleaners.

Lumber and building supply, with storage under cover.

Machinery sales and service.

Motels, hotels, and tourist homes.

Newspaper and other printing establishments.

Personal Services.

Retail Stores, as defined in Section 175-39.C.

Pharmaceutical Center.

Professional and Business Offices.

Radio and television broadcasting stations, studios or offices.

Recreational Facility, Commercial.

Restaurants, including drive-in restaurants.

Special childcare services.

Technology business, as defined in Section 175-3, provided that such use does not involve broadcast or communications towers or manufacturing operations.

Theatres, Indoor.

Tobacco, smoke or vape shop in accordance with provisions of Section 175-152.

Veterinary hospitals.

Wearing-apparel stores.

INDUSTRIAL:

ORGANIZATIONAL:

Art galleries and museums.

Churches.

Public libraries.

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open Space.

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Section 175-106.

Special childcare services.

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

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

RESIDENTIAL:

Apartments or dwelling units, with four (4) or more units or where located on the ground floor, subject to the provisions of Section 175-113.

COMMERCIAL:

Automobile garages, excluding where repairs work is only an accessory use, subject to the requirements of Section 175-110.3 where motor vehicle painting or body work services are provided.

Automobile Parking Lots, commercial.

Bed and Breakfasts, as set forth in Section 107.3.

Day Care Facilities and schools, subject to the provisions of Section 175-107.1.F, and any necessary improvements or changes to address the considerations of that section.

Farmers' markets, and flea markets, in accordance with Section 175-44.F.

Kennels.

Shopping centers as set forth in Section 175-111.

Tobacco, smoke or vape shop.

INDUSTRIAL:

Distribution facilities, subject to the standards and criteria for industrial uses provided in Section 175-70.

Firearms Manufacturing

Wholesale establishments with storage and processing, subject to the standards and criteria for industrial uses provided in Section 175-70.

ORGANIZATIONAL:

Schools.

MISCELLANEOUS:

Any use permitted under Section 175-39, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-41, subject to the requirements of Section 175-136. Additional heights approved by a special use permit shall be required to increase the required setback and yard area requirements by an equivalent distance from each property line.

Conservation areas.

Communication towers, in accordance with Section 175-110.4.

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

Boarding Houses, Clubs and Lodging Houses.

Mini-warehouses, subject to the standards of Section 107-44.G.

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

Parking Structures.

Structures with a height between forty-five (45) feet and seventy (70) feet, and any residential structure not in conformance with the height limitation of Section 175-41.

Structures with a gross floor area of fifty thousand (50,000) square feet or more.

Townhouse-style commercial development, where the intent is to divide the property into individual lots.

- C. For the purpose of this section, "retail stores" are defined as buildings for the display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive of coal, wood and oil and lumberyards, accessory uses, adult bookstores (stores engaged in the sale of magazines and other publications of sexually-oriented nature), massage parlors and stores engaged in the sale of sexual aids, devices and merchandise.

(Ord. of 7-25-05; Ord. of 7-28-08; Ord. of 6-22-15; Ord. of 2-24-25(2))

175-40 AREA REGULATIONS (C-1)

A. *Minimum Lot Size:*

1. Residential uses with four (4) or more units = six thousand (6,000) s.f. first unit; one thousand five hundred (1,500) s.f. each additional unit.
2. All other uses: Seven thousand five hundred (7,500) s.f.

- B. *Minimum Unit Size:* The minimum average unit size (floor area) per dwelling unit, where fewer than four (4) units are provided shall be three hundred (300) square feet. No dwelling unit shall have less than two hundred fifty (250) square feet of living area. This living area shall not include bathroom, closet and storage space.

- C. *Minimum District Size:* Five (5) acres.

D. *Minimum Lot Width:*

1. Interior Lot: Seventy-five (75) feet.
2. Corner Lot: Ninety (90) feet.

175-41 MAXIMUM HEIGHT OF BUILDINGS (C-1)

- A. *Residential Buildings:* Thirty-five (35) feet, except as otherwise provided in this section.

- B. *Other Principal Buildings:* Forty-five (45) feet except as provided in Section 175-39.B.

- C. *Residential structures* may have a maximum overall height of forty-five (45) feet, provided that the slope of the roof exceeds thirty-five (35) percent and the required yards are increased by one (1) foot for each foot in height over thirty-five (35) feet.

- D. *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. Parapet walls up to four (4) feet above the height of the building on which the wall rests.
- E. *Accessory buildings and structures*: Thirty-five (35) feet; however, in no case, shall the height of an accessory structure exceed the height of the principal structure.
- (Ord. of 6-22-15)

175-42 MINIMUM SETBACK AND YARD DIMENSIONS (C-1)

- A. *Principal Structures*, when abutting properties are in a commercial or industrial district.
1. Front setback:
 - a. Where no parking is provided between the structure and the street: five (5) feet. Provided, however, that no drive aisle shall be located within five (5) feet of any structure having a setback less than fifteen (15) feet.
 - b. Where parking is provided between the structure and the street: fifty (50) feet.
 2. Side: Ten (10) feet on one (1) side only.
 3. Rear: Fifteen (15) feet.
 4. Corner side: Fifteen (15) feet.
- B. *Accessory Structures*:
1. Front setback: Twenty-five (25) feet, except that accessory structures shall not be located closer to the street than the principal structure.
 2. Side: Five (5) feet or fifty percent (50%) of building height, whichever is greater.
 3. Rear: Five (5) feet or fifty percent (50%) of building height, whichever is greater.
 4. Corner side: Twenty (20) feet, except that accessory structures shall not be located closer to the street than the principal structure.
- C. *Transitional yards*, when located adjoining a residential district.
1. Side yard: Fifteen (15) feet.
 2. Rear yard: Twenty (20) feet.
 3. No structures, storage, use or parking shall be located in a transitional yard.
 4. Transitional yards shall be landscaped in accordance with the provisions of Section 148-44.

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- D. Where parking is provided in a perpendicular manner between the principal structure and the street a minimum parking setback of ten (10) feet and a minimum building setback of fifty (50) feet shall be provided. The parking setback shall be landscaped in accordance with Section 148-48(E)(2).
 - E. The Town Council may waive the setback, yard and lot size requirements for townhouse style commercial project, approved by special permit, where such waiver is needed to produce a functional and desirable site layout; provided, however, that no adverse impact to adjoining property results from the waiver.

175-43 OPEN SPACE REGULATIONS (C-1)

- A. Maximum building coverage for apartment structures exceeding four (4) units: Fifty percent (50%).
- B. Maximum building coverage for all other structures: Seventy-five percent (75%).
- C. Maximum impervious surface coverage: Ninety percent (90%), including off-street parking.

175-44 PERFORMANCE STANDARDS (C-1)

- A. *Screening:*
 - 1. Except where otherwise specifically approved in the Town Code, permitted uses shall be conducted wholly within a completely enclosed building.
 - 2. Outdoor storage, outdoor display or outdoor sale of goods shall only be permitted when each of the following standards are met:
 - a. Outdoor storage, outdoor display, or outdoor sale of goods shall be used in direct association with the primary use or uses of the property.
 - b. Outdoor storage, outdoor display and/or outdoor sales shall be screened to obstruct view from any adjacent public street. A screen may consist of a building, solid masonry wall, uniformly painted solid board fence or landscaping. The height of the screening shall be six feet (6') unless an alternative height is approved by the Planning Commission during the review of a site plan.
 - 3. The following types of outdoor display and/or outdoor sales shall be exempt from the requirements of Section 175-44.A.2.b:
 - a. Motor vehicles.
 - b. Power operated machines designed for outdoor labor, such as farming, construction or lawn maintenance, as well as large equipment, products, and materials designed to be kept outdoors.
 - c. Plants and other landscaping products typically sold with plants.
 - d. Temporary or seasonal activities, such as but not limited to, peddlers, yard sales, and itinerant merchants that have obtained approval from the Town.
 - e. Pre-manufactured buildings.
 - f. Vending machines.
 - g. General products, goods, merchandise, and/or materials, provided that: (i) no more than two hundred (200) square feet of area is used, and (ii) outdoor display and/or sales are restricted from the evening and night hours from 8:00 p.m. to 5:00 a.m., except that general products, goods, merchandise, and/or materials may be kept outdoors if located under a roofed structure.
 - h. Flea markets, subject to any conditions issued with special use permit, performance standards of the underlying zoning district, and requirements of Section 98-46 of the Town Code.

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4. Commercial development shall be permanently screened from adjoining and contiguous residential district by a wall, fence, evergreen hedge, and/or other suitable enclosure with a minimum height of six (6) feet. Any area between such enclosure and the property line shall be landscaped to form a permanent screening area. The requirement for a screening area may be waived if equivalent screening is provided by existing parks, recreational areas, or by topographic or other natural conditions.
 5. The provision of subsection A.4 above, shall not apply when the (architectural) front of any commercial building faces the street across from a residential district or when strict application of the requirement relative to screening can be demonstrated as not serving the purpose for which it is intended.
- B. *Lighting:* Lighting facilities shall be arranged in a manner that will protect the public roadway and neighboring properties from direct glare, intrusion or hazardous interference. Parking lot and building lighting shall be directed so that the lighting does not extend beyond the property boundary. Lighting facilities shall be required along private and public streets and within parking areas, installed at the developer's expense.
- C. *Miscellaneous:*
1. No flammable or explosive liquids, solids or gases shall be stored in bulk above ground; provided, however, that tanks or drums of fuel directly connecting to energy devices, heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.
 2. All fuel and raw materials stored outdoors shall be enclosed by a fence adequate to conceal the facilities from any adjacent properties or roadways.
 3. No materials or wastes shall be deposited upon a lot in such form or manner that it may be transferred off the lot by natural causes or forces.
 4. All refuse containers shall be adequately sized to handle the needs of the facility or development and all material or wastes which might cause fumes or dust, constitute a fire hazard,, or may be edible or otherwise attractive to rodents or insects shall be stored only in completely closed containers.
 5. All outdoor refuse storage areas shall be located in a paved area and hidden from general public view, either from within or outside the lot, by means of fences or walls, and landscape planting. A solid wood or masonry fence at least six (6) feet in height shall be provided on three (3) sides, with a solid opaque gate on the fourth side. Landscaping shall be incorporated to improve the visual appearance.
- D. *Landscaping:* All sites and parking areas shall be landscaped in accordance with the provisions of Sections 148-46, 148-47 and 148-48.
- E. *Automobile and Truck Sales Lots and Leasing Agencies:* Vehicle repair shall only be permitted as an accessory use to automobile and truck sales lots and leasing agencies, except where a special use permit is issued for automobile repair. All incidental repair of vehicles shall be conducted within a building enclosed on all sides.
- F. *Farmer's Markets and Flea Markets:* Where farmer's markets are permitted under the provisions of this Chapter, the following standards shall be required:
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 twenty-five-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.

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4. All tables, facilities and structures shall be maintained in a well-kept and attractive manner.
 5. No manufactured buildings shall be permitted.
 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 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, in accordance with Section 175-44.A.
 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.
- G. *Mini-warehouses*: Where mini-warehouses are permitted, the following standards shall be required:
1. No exterior storage shall be permitted.
 2. No business activities other than rental of storage units and office use shall be conducted on the premises or within the building, except as specifically approved with the special permit approval. The servicing or repair of motor vehicles, trucks, mobile homes, boats, trailers, lawn mowers, or other similar equipment shall not be conducted on the premises. The operation of a mini-warehouse shall in no way be deemed to include a transfer and storage business where the use of vehicles is part of such business.
 3. When a mini-warehouse is built adjacent to or within one hundred (100) feet of a lot in a residential district without an intervening street, a solid wall or fence at least six (6) feet in height with a finished side facing the residential lot shall be erected between the mini-warehouse and the residential lot. However, the wall or fence shall not be required to extend into the front yard required on the lot on which it is located.
 4. The minimum landscaped open space for a mini-warehouse building shall not be less than .20 times the gross acreage of the lot. Such landscaped open space shall not be open to vehicular traffic, and shall be used to buffer and shield adjacent uses from the mini-warehouse operation. The required

amount of open space may be reduced with the special permit approval for the reuse of an existing building/developed property.

5. The maximum height of the storage section of a mini-warehouse building shall be twenty-five (25) feet.
6. The maximum total storage area in a mini-warehouse building shall be seven thousand five hundred (7,500) square feet.
7. The maximum size of an individual storage unit shall be five hundred (500) square feet.
8. Buildings used in association with mini-warehousing shall be setback at least one hundred fifty (150) feet from the public road.

(Ord. of 1-28-13; Ord. of 6-22-15; Ord. of 10-10-17)

175-45 (RESERVED)

(Ord. of 6-22-15)

OLD BUSINESS ITEM 1

PLANNING COMMISSION BY-LAWS

BYLAWS
PLANNING COMMISSION
TOWN OF FRONT ROYAL, VIRGINIA
ARTICLE I
AUTHORIZATION

1. The Planning Commission is established in accordance with an ordinance adopted by the Front Royal, Virginia Town Council on October 8, 1934, and in accordance with Title 15.2, Chapter 22, Article 2, Code of Virginia (1950), as amended. The bylaws were adopted by the Planning Commission on November 8, 1978. (Amended November 1984, March 1992, April 2001, January 2008 and April 20, 2022)
2. The official title of this Planning Commission shall be “Town of Front Royal Planning Commission,” hereinafter referred to as the “Commission.”

ARTICLE II
PURPOSE AND OBJECTIVES

1. The purpose of the commission is to serve in an advisory capacity to the Front Royal Town Council on all matters relative to the growth and development of the Town of Front Royal.
2. The Commission, with the advice and assistance of the Planning Office and the Town Attorney, shall:
 - a. Prepare and recommend :
 - i. a comprehensive plan for the physical development of the Town and review the plan every two years as a goal, but at least once every five (5) years as required by Section 15.2-2230, Code of Virginia (1950), as amended.
 - ii. elements and amendments to the Comprehensive Plan;
 - iii. amendments to the Zoning Ordinance;
 - iv. proffer guidelines and level of service standards to be used in evaluating re-zoning proposals;
 - v. amendments to the Subdivision Ordinance; and
 - vi. amendments to the Capital Improvement Program.
 - b. Review and make recommendations on:
 - i. all amendments to the Zoning Map;
 - ii. proffer proposals that accompany rezoning requests;
 - iii. all special use permit applications to the Town Council; and
 - iv. subdivisions as prescribed by the Subdivision Ordinance.
 - c. Approve the general or approximate location, character, and extent of streets, parks or other public buildings, public structures, public utility facilities, or public service corporation facilities other than railroad facilities, whether publicly or privately owned, as required by Section 15.2-2232, Code of Virginia (1950), as amended and communicate its findings to the Town Council. Review and recommend proposals to incorporate new areas into the town as adjacent development occurs.

- d. Carry out all other such matters as may be appropriate pursuant to the Town of Front Royal Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, Design and Construction Standards Manual, and other ordinances of the Town of Front Royal and/or the Commonwealth of Virginia or as directed by the Town Council.
- e. Establish and maintain standing and special committees as required.

ARTICLE III MEMBERSHIP

1. The Commission shall consist of at least five (5) members, appointed by the Town Council, all of whom shall be residents of the Town of Front Royal and qualified by knowledge and experience to make decisions on questions of growth and development. At least one-half of the members so appointed shall be owners of real property.
2. The members of the Commission first appointed shall serve two years, three years, and four years, divided equally or as nearly equal as possible between the membership. Subsequent appointments shall be for terms of four years each. The terms of office for the member of the Town Council and the administrative appointee, if any, shall be coexistent with their terms of office, unless the Town Council appoints others in their stead.
3. Vacancies shall be filled by the Town Council.
4. Members of the Commission appointed for active membership after August 1989 shall serve for an uninterrupted period of no more than three (3) full terms. Partial terms shall not be counted as a part of this limitation. This limitation does not prevent a commissioner from being reappointed to the Commission after expiration of three (3) terms, provided that any reappointment is preceded by an interval of at least one (1) term during which the person does not serve on the Commission.
5. Any member of the Commission may be removed by the Town Council upon recommendation of the Commission Chair for neglect of duty, or malfeasance of office.
6. Every member of the Planning Commission shall become a certified planning commissioner within one (1) year of appointment; provided, however, that Town Council may grant a six (6) month extension of the certification requirement at its discretion.
7. Members of the Planning Commission shall be compensated in an amount determined by the Town Council.

ARTICLE IV OFFICERS AND DUTIES

1. Officers of the Commission shall consist of a Chairperson, and Vice-Chairperson.
2. The Commission shall be provided a recording secretary by the Planning Office Staff who shall have no vote in Commission matters.

3. The term of office of an officer shall be one (1) year.
4. Each officer shall be elected by the membership. A candidate receiving a majority vote of the entire membership shall be declared elected. The Officers may succeed themselves. Election of officers shall take place at an organizational meeting to be held at the regular February session of each year.
5. Vacancies shall be filled for the unexpired term in the same manner as the officers are originally chosen.
6. The Chairperson shall:
 - a. preside at all meetings and public hearings;
 - b. appoint committees, and be an ex-officio member thereof;
 - c. rule on procedural questions, subject to a reversal by a two-thirds (2/3) majority vote of the members present;
 - d. report any official communications to the Commission;
 - e. certify all official documents involving the authority of the Commission, and certify all minutes as true and correct copies;
 - f. generally act as spokesman for the Commission;
 - g. ensure new members are properly oriented to the Commission bylaws and rules of order;
 - h. in coordination with the Director of Planning, establish the agenda for all Planning Commission meetings;
 - i. facilitate discussion among Commission members, ensuring each member has the opportunity to participate in discussions and that the discussion remains on topic.
7. The Vice-Chairperson shall:
 - a. act in the absence or inability of the Chairperson to act.
 - b. Have the powers to function in the same capacity as the Chairperson in cases of the Chairperson's absence or inability to act.
8. The secretary shall:
 - a. record and prepare the minutes of all Commission meetings,
 - b. notify members of all regular and special meetings,
 - c. maintain a file of all official Commission records and reports,
 - d. prepare and be responsible for the preparation of all official Planning Commission communications, and
 - e. ensure that an annual written report and monthly minutes be submitted by the Commission to Town Council.

ARTICLE V COMMITTEES

1. For the purpose and terms approved by the Commission, the Chairperson may appoint standing and special committees from its membership.
2. Each committee shall elect a Chairperson for said committee from the committee members. The Committee Chairperson shall:
 - a. set the time and place for Committee meetings;
 - b. facilitate committee meetings;

- c. ensure the planning office provides appropriate public notice of committee meetings;
 - d. appoint a secretary to take meeting minutes that shall be held by the Planning Office; and
 - e. report committee meeting minutes and results back to the full Commission.
3. A majority of committee members shall constitute a quorum. A quorum shall be required to conduct committee business.

ARTICLE VI VOTING

1. A majority of the voting membership shall constitute a quorum.
2. Action of the Chairperson shall be valid when authorized by a majority vote of those present and voting.
3. Each of the voting Commission members shall be entitled to one vote on all matters before the Commission, but may exercise such rights only in person and during a regular meeting or duly advertised meeting or hearing of the Commission.

ARTICLE VII MEETINGS

1. Regular meetings of the Commission shall be held on the third Wednesday of each month in the Warren County Government Center at 7:00 PM, or at a time and place designated by the Commission as a regular meeting or as advertised. Regular meetings will be held at least once every two months. In the event a quorum cannot be present at a regular meeting, the Chairperson will reschedule it to the first day in the next week that a quorum and appropriate venue can be available or cancel the meeting with the consent of a majority of the Commissioners.
2. Special meetings and/or working sessions may be called by the Chairperson or by two members upon written request to the Secretary. Work sessions and special meetings require a quorum.
3. The Chairperson shall make every reasonable effort to accommodate the Commission Members' personal schedules, however, in the event a Commission member misses more than three (3) work sessions or regular meetings in a six (6) month period the Commission may recommend dismissal of that member to the Town Council.
4. Individual Commissioner members may participate in meetings remotely by electronic means only in accordance with the rules and procedures for Town Public Bodies as a Public Body Member, all pursuant to Town Code §4-1.1.
5. Any time three (3) or more Commission members are required to meet to conduct Commission business, that meeting shall be properly advertised to the Public by the Planning Office prior to the meeting. No meetings of three (3) or more Commission Members shall be held that have not been properly advertised.

6. The term “meeting” or “meetings” as used in these bylaws shall exactly follow the definition of those words contained in Section 2.2-3701 of the Code of Virginia (1950), as amended.
7. All meetings of the Commission shall be open to the public. However, the Commission may meet in closed sessions on issues specifically referenced in the Virginia Freedom of Information Act. Such proceedings shall be in accordance with §2.2-3707, Code of Virginia (1950), as amended.

ARTICLE VIII ORDER OF BUSINESS

1. The order of business for a regular meeting of the Commission shall be:
 - a. Call to order by Chairperson.
 - b. Determination of a quorum.
 - c. Approval of minutes.
 - d. Citizens’ Comments or Concerns
 - e. Public hearings.
 - f. Other applications.
 - g. Report of committees, if any.
 - h. Old business.
 - i. New business.
 - j. Commission concerns.
 - k. Adjournment.

When deemed appropriate by a majority of the Commissioners present and voting at a regular meeting, this order of business may be altered by the Chairperson to improve the efficiency of the meeting.

Members of the public wishing to speak during the Citizens’ Comments or Concerns period shall sign in with the Clerk of the Commission prior to the start of the meeting and speakers shall be subject to the following reasonable time, place, manner restrictions: (1) a three (3) minute time limit, (2) the speaker’s comments shall be relevant to the business of the Commission and directed to the Commission, (3) the speaker’s comments shall not address the subject matter of a public hearing being held during the same meeting, (4) no personal attacks, indecorous language, or display of signs, placards, posters or other disruptive displays.

2. Parliamentary procedure in Commission meetings shall be governed by the latest edition of Roberts’ Rules of Order then available at the time of the meeting.
3. The Commission shall keep a set of minutes of all meetings and these minutes shall become a public record.

ARTICLE IX PUBLIC HEARINGS

1. The Commission shall conduct public hearings on matters as prescribed by the Code of Virginia (1950), as amended, and on any other matter when it deems that such a hearing would be in the public interest.
2. The Commission shall publish a notice of public hearings at least once a week for two successive weeks in a newspaper of general circulation prior to the date of the hearing, as prescribed by Section 15.2-2204, Code of Virginia (1950), as amended.
3. The Chairperson shall summarize or request staff to summarize the matter before the Commission, allowing interested parties to address the Commission and accept written statements and other documentation pertinent to the matter before the Commission. A record shall be kept of those speaking before the hearing.
4. The Chairperson may set time limits and the order in which interested parties address the Commission.

ARTICLE X

1. These bylaws may be amended by majority vote of the entire Commission membership.
2. In the event any provision herein is in conflict with Town Ordinance or Code of Virginia (1950), precedence shall be given in the following order:
 - a. Code of Virginia (1950)
 - b. Town Ordinance
3. In the event any provision of these bylaws is determined to be illegal, that provision alone will be stricken as null and void and all other provisions will remain in full effect.

OLD BUSINESS ITEM 2

2025 ANNUAL REPORT

TOWN OF FRONT ROYAL

DEPARTMENT OF PLANNING & ZONING



2025



ANNUAL REPORT

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PLANNING AND ZONING STAFF - 2025

Lauren Kopishke

Director of Planning and Zoning

August 2, 2021 – Current

John Ware

Deputy Zoning Administrator/Planner I

November 15, 2021 - Current

Daniel Wells

Property Maintenance Official/Code Enforcement

April 15, 2024 - Current

Sean Mennard

GIS Coordinator

October 22, 2025 - Current

Carol Buffa

Planning Technician

October 3, 2022 - Current

Connie L. Potter

Executive Assistant/Boards and Commissions Clerk

January 17, 2006 - Current

TOWN OF FRONT ROYAL PLANNING COMMISSION

The Planning Commission is established in accordance with an ordinance adopted by the Front Royal, Virginia Town Council on October 8, 1934, and in accordance with Title 15.2, Chapter 22, Article 2, Code of Virginia (1950), as amended.

The purpose of the commission is to serve in an advisory capacity to the Front Royal Town Council on all matters related to the growth and development of the Town of Front Royal.

In 2025, the Planning Commission held twelve (12) regular meetings, seventeen (17) work sessions, and one (1) joint work session with the Board of Architectural Review. The following pages list applications reviewed by the Planning Commission in 2025.

Connie MarshnerTerm Expires August 31, 2027

Appointed March 28, 2016, Reappointed July 18, 2019 and July 24, 2023

Vice Chairman September 6, 2023 – April 17, 2024

Chairman May 1, 2024 - Current

Megan Marrazzo.....Term Expires August 31, 2028

Appointed May 28, 2024 to fill Unexpired Term of Glenn Wood

Reappointed September 3, 2024

Louis A. R. Neel (Allen)Term Expires August 31, 2027

Appointed July 22, 2024 to fill Unexpired Term of Brian Matthiae

Vice Chairman January 15, 2025 - Current

Andrew Brooks.....Term Expires August 31, 2029

Reappointed July 28, 2025

Teresa FedorykaTerm Expires August 31, 2026

Appointed February 24, 2025 to fill Unexpired Term of Gary Gillispie

2025 SPECIAL USE PERMITS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
January 15, 2025	2400673 – A Special Use Permit Application submitted by Pennoni Associates Inc. c/o Mike Artz for Multi-Family Apartments containing thirty-six (36) units in three (3) separate apartment houses containing twelve (12) units each and an office building on a vacant parcel off of Royal Lane, identified by Tax Map 20A17-1-14B1. The property is zoned C-1, Community Business District.	Recommendation of Approval w/ Conditions.
March 19, 2025	2500054 – A request for a Special Use Permit submitted by Heritage Hall XIII, LLC for the expansion of the existing skilled nursing facility building with a new building addition for twenty (20) beds and associated facilities located at 400 W. Strasburg Road, identified by Tax Map 20A11-4-23. The property is zoned R-2, Residential District.	Recommendation of Approval.
April 16, 2025	2500072 – A request for a Special Use Permit submitted by the Warren County Community Health Coalition for a lodging house at 506 N. Royal Avenue, identified by Tax Map 20A5-7-18-3,4. The property is zoned C-1, Community Business District and is located within the Entrance Corridor. 2500100 – A request for a Special Use Permit submitted by Divinum Auxilium Academy for a private school located at 16 N. Royal Avenue, identified by Tax Map 20A5-11-15. The property is zoned C-2, Downtown Business District and is located within the Entrance Corridor.	Recommendation of Approval w/ Conditions. Recommendation of Approval w/ Conditions.

May 21, 2025	<i>SPECIAL USE PERMITS (CONTINUED)</i> 2500104 – A Special Use Permit Application for a Farmers Market submitted by Julie Vaught, on behalf of Happy Creek Antiques, located at 515-B N. Commerce Avenue, identified by Tax Map 20A4-10-8. The property is zoned C-1, Community Business District. 2500108 – A Special Use Permit Application to allow a short-term rental, submitted by Home Base Holdings LLC, located at 66 W. Strasburg Road, identified by Tax Map 2012-3-31B. The property is zoned R-1, Residential District.	Recommendation of Approval w/ Conditions. Recommendation of Approval w/ Conditions.
August 20, 2025	2500297 – A Special Use Permit Application to allow a short-term rental (residential occupancy purposes for a period of fewer than thirty (30) consecutive days) submitted by Shelly Cook and located at 1408 Old Winchester Pike, identified by Tax Map 20A12-8-5. The property is zoned R-2, Residential District. 2500336 – A Special Use Permit Application to allow a Lodging House (a residential building, other than a hotel, motel or bed and breakfast home which is not open to the public or transient guests), submitted by Life Repair Center of Front Royal, and located at 437 S. Royal Avenue, identified by Tax Map 20A7-3-10. The property is zoned C-1, Community Business District and is located in the Entrance Corridor. 2500337 – A Special Use Permit Application to allow a short-term rental (residential occupancy purposes for a period of fewer than thirty (30) consecutive days), submitted by Claude Van Sant, and located at 101 The Hill, identified by Tax Map 20A8-22-9A. The property is zoned R-1, Residential District.	Recommendation of Approval. Recommendation of Approval. Recommendation of Approval.

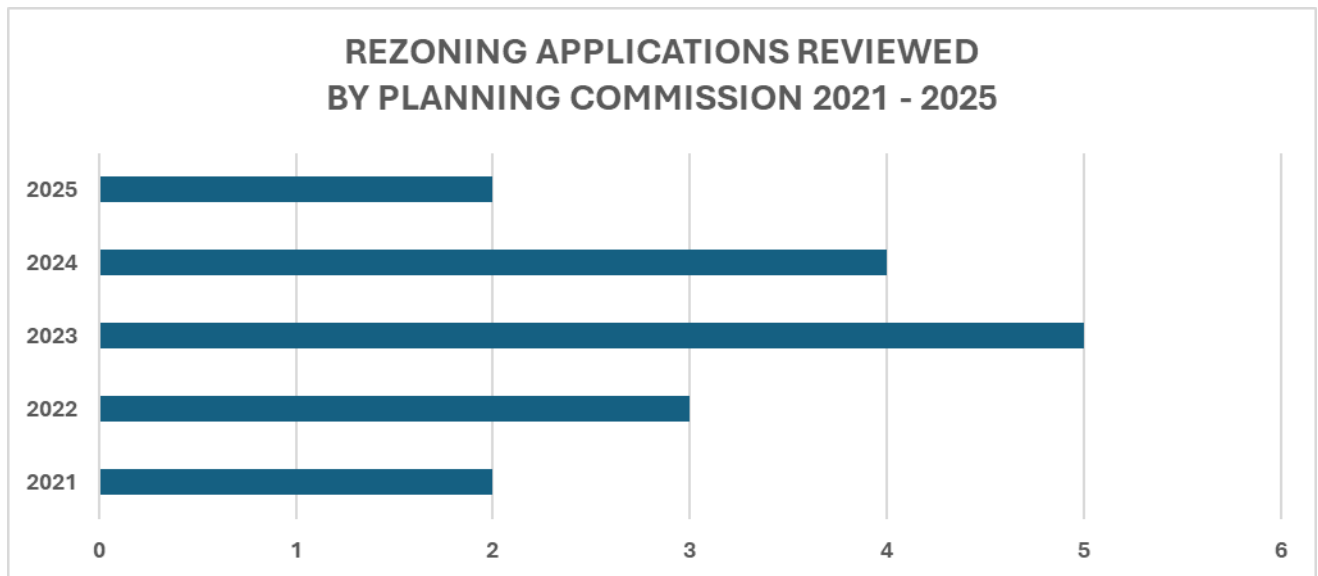
November 19, 2025	<i>SPECIAL USE PERMITS (CONTINUED)</i> 2500481 – A Special Use Permit Application submitted by Fussell Florist for an artistic mural, exceeding sixty (60) square feet in size, on the east side of the building located at 202 E. 2nd Street, identified by Tax Map 20A8-1-4-33. The property is zoned C-2, Downtown Business District.	Recommendation of Approval.
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2025 SPECIAL EXCEPTION REQUESTS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
March 19, 2025	2500049 – A request for a Special Exception from Town Code Chapter 148-820.D.6 submitted by Rappahannock HC LLC for property located at 1321 Happy Creek Road, identified by Tax Map 20A21-2-4 to reduce the required minimum street pavement width from thirty-six feet (36') to twenty-nine feet (29').	Recommendation of Approval.



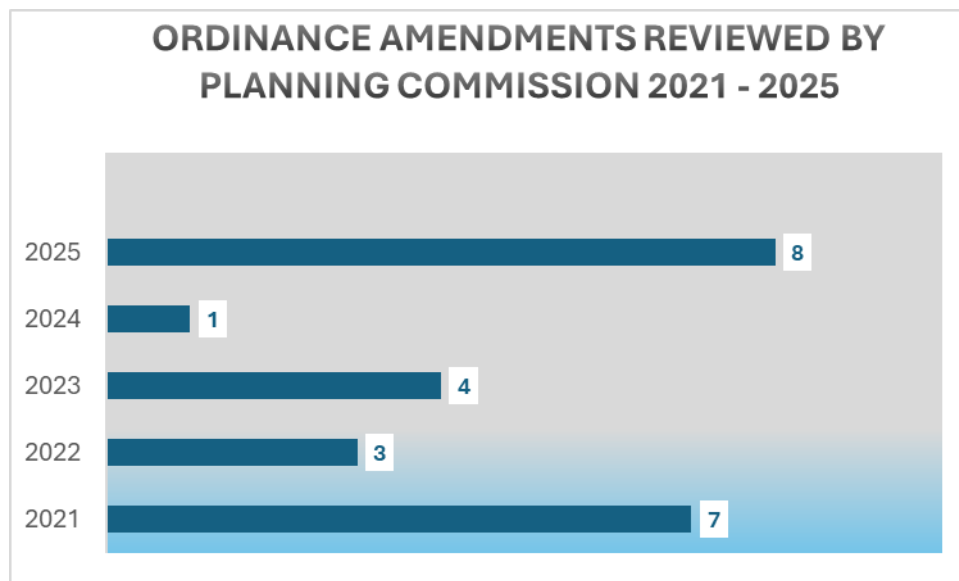
2025 REZONING APPLICATIONS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
January 15, 2025	2400687 – Rezoning application submitted by Skyline Realty Investments, LLC requesting an amendment to the zoning map to reclassify addresses 10, 30, 44, 52, 60 and a vacant lot on W. Strasburg Road identified by Tax Map 20A12, Section 3, Parcels 22, 26, 27A, 31C, 31 and 23 from C-1, Community Business District to R-3, Residential District.	Recommendation of Approval.
June 18, 2025	2500238 – A Rezoning Application submitted by Stephen C. Williams, Esq./Trustee requesting an amendment to the zoning map to reclassify vacant lots on Elsia Drive, identified by Tax Map 20A6-1-5c and 6 from C-1, Community Business District to R-3, Residential District.	Recommendation of Approval.



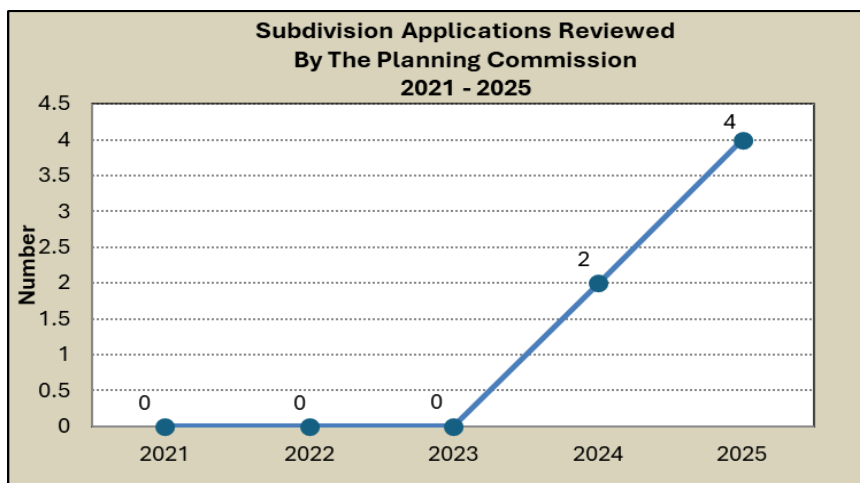
2025		
ORDINANCE/ZONING TEXT AMENDMENTS REVIEWED BY PLANNING COMMISSION		
DATE OF MEETING	APPLICANT	STATUS
March 19, 2025	2500051 – An Ordinance Amendment to amend Front Royal Town Code Chapter 175-137 pertaining to fees. 2500062 – A Zoning Text Amendment to Town Code Chapter 175-12.1 to allow lodging houses by Special Use Permit in the R-1 zoning district.	Postponed to the April 16, 2025 regular meeting. Remitted to the April 2, 2025 work session.
April 16, 2025	2500051 – An Ordinance Amendment to amend Front Royal Town Code Chapter 175-137 pertaining to Fees, Charges and Expenses and Chapter 148-1100 Fees. 2500062 – A Zoning Text Amendment to Town Code Chapter 175-12.1 to allow lodging houses by Special Use Permit in the R-1 zoning district.	Recommendation of Approval. Recommendation of Denial.
July 16, 2025	2500218 – A Zoning Text Amendment to Town Code Chapter 175-84.B to add language restricting the redevelopment of historic residential sites to single-family dwelling units in the residential area of the Towns' Historic District, and Chapter 175-29 to add language preventing the conversion of single-family residential structures into multifamily or two-family dwellings. 2500320 – A Zoning Text Amendment to Chapter 175-3 to define Designated Special Circumstance Housing, and §175-12.1, §175-18.2.B, §175-20.1, §175-30, and §175-37.3 to add Designated Special Circumstance Housing performance standards by Special Use Permit and create Chapter 175-153 (<i>later assigned to be Chapter 175-117 instead of 175-153</i>) to add Designated Special Circumstance Housing performance standards.	Recommendation of Approval. Recommendation of Approval.

August 20, 2025	<i>ORDINANCE/ZONING TEXT AMENDMENTS REVIEWED BY PLANNING COMMISSION (CONTINUED)</i> 2500317 – A Zoning Text Amendment to Town Code Chapter 175-3 – Definitions, to redefine the definition of “Overhang” as it pertains to any projection, either roof, bay window or similar cantilevered construction which extends beyond the foundation of a structure. 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. 2500347 – For the public necessity, convenience, general welfare, or good zoning practice, Zoning Text Amendments to Town Code §175-151 – Short-Term Rental performance standards, to address modifications pertaining to fees, parking and applicable Uniform Statewide Building Code regulations and to retitle and recodify Town Code §175-151 to §175-114; and update the location of performance standards for Tobacco, Smoke, or Vape Shops from §175-152 to 175-116.	Recommendation of Approval. Recommendation of Approval. Recommendation of Approval with three (3) Amendments.
September 17, 2025	2500320 – For the public necessity, convenience, general welfare, or good zoning practice, Zoning Text Amendment to Town Code §175-3 to define Designated Special Circumstance Housing. Text Amendments to Town Code §175-12.1.A, §175-18.2.B, §175-20.1, §175-30, and §175-37.3.A to add Designated Special Circumstance Housing performance standards by Special Use Permit and establish Town Code §175-117 to add Designated Special Circumstance Housing standards. (This item was referred back to the Planning Commission by Town Council for some minor changes.)	Recommendation of Approval.

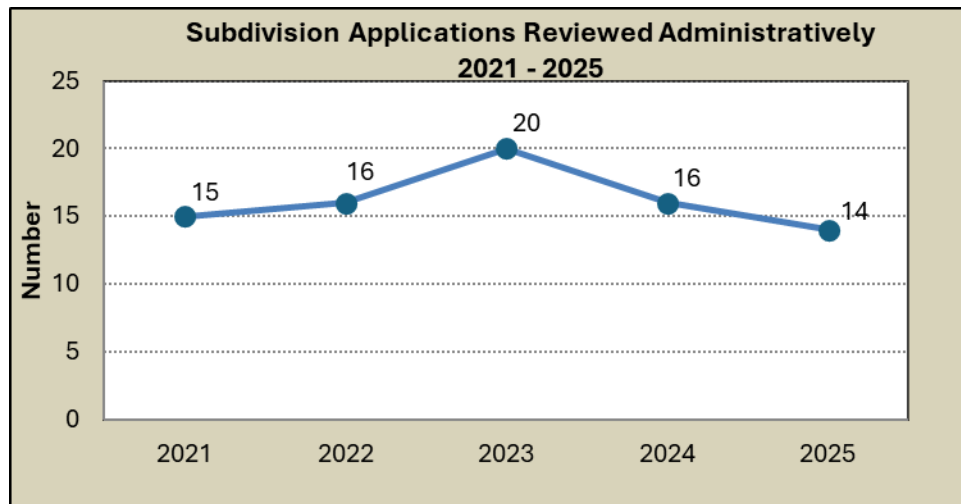
September 17, 2025 (continued)	ORDINANCE/ZONING TEXT AMENDMENTS REVIEWED BY PLANNING COMMISSION (CONTINUED) 2500345 – For the public necessity, convenience, general welfare, or good zoning practice, Zoning Text Amendments to Town Code §175-3 – Definitions to define Data Centers and Town Code §175-64 Industrial Employment District (I-2) to add Data Centers with performance standards by Special Use Permit.	Recommendation of Approval.
October 15, 2025	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 Units”, to amend the Residential Districts in which it would be permitted by-right, and to establish §175-115 “Auxiliary Dwelling Unit” performance standards with the Supplementary Provisions of Town Code. (This item was referred back to the Planning Commission by Town Council for a suggested text change.)	Recommendation of Approval.



SUBDIVISION APPLICATIONS REVIEWED BY THE PLANNING COMMISSION - 2025		
DATE OF MEETING	APPLICANT	STATUS
January 15, 2025	2400421 - A request for Preliminary Plan approval for a major subdivision submitted by Ali Billoo for a subdivision containing nine (9) lots and sixteen (16) dwelling units located at 336 W. Strasburg Road, identified on tax map 20A11, section 4, parcel 23B. The property is zoned R-2, Residential District.	Recommendation of Approval.
February 19, 2025	2500022 – A request for revisions to Subdivision plan FRSUB1521-2019 for Happy Creek Knolls, Section 4 regarding lots 4, 5, 6, 29, and 30, submitted by Maronda Homes, Inc.	Recommendation of Denial.
	2500023 – A request for Final Subdivision Plat approval for a major subdivision submitted by Ali Billoo from a one (1) 3.52-acre parcel into eight (8) residential lots, one (1) stormwater management lot, and a residue lot located at 336 W. Strasburg Road, identified on tax map 20A11, section 4, parcel 23B. The property is zoned R-2, Residential District.	Recommendation of Approval.
May 21, 2025	2500050 – An Application for Preliminary Plat Approval for a major subdivision submitted by Chris Hornung, Rappahannock HC, LLC for a subdivisions containing ninety-seven (97) dwelling units located at 1321 Happy Creek Road, identified on Tax Map 20A21-2-4. The property is zoned R-1, Residential District.	Approved.



SUBDIVISION APPLICATIONS REVIEWED ADMINISTRATIVELY BY STAFF – 2025		
SUBMITTAL DATE	APPLICANT	STATUS
February 6, 2025	2500053, 2 Lots into 1, New Avenue, 20A4 7 5 33A	Approved
February 7, 2025	2500058, Boundary Line Adjustment, S. Shenandoah Avenue, 20A6 715 11.	Approved
March 21, 2025	2500131, Boundary Line Adjustment, 1015 Virginia Avenue, 20A5 4 4	Approved
April 30, 2025	2500210, 7 Lots into 3, W. Strasburg Road, 20A12 3 22A, 26A & 27A1	Approved
May 16, 2025	2500248, 1 Lot into 8, W. Strasburg Road, 20A12 3 21A, 22A2, 22A3, 22A4, 22A5, 22A6, 22A7 & 22A8	Approved
May 22, 2025	2500263, 1 Lot into 2, W. 11 th Street, 20A5 1 C 11 & 11A	Approved
May 27, 2025	2500270, Boundary Line Adjustment, 15 & 17 W. 11 th Street, 20A2 443 23A1 & 24A	On Hold
June 24, 2025	2500310, 2 Lots into 1, W. 11 th Street, 20A1 2 4 19A	Approved
July 8, 2025	2500344, 4 Lots into 2, Stockton Road, 20A821 K 10, 11, 12, & 13	Approved
July 11, 2025	2500355, 1 Lot into 2, 920 N. Shenandoah Avenue, 20A5 2 39 4A1, 4A	Approved
August 6, 2025	2500396, Boundary Line Adjustment, 450 & 454 Hill Stret, 20A712 36 & 36A	Preliminary Approval
October 8, 2025	2500501, Boundary Line Adjustment, Northview Avenue, 20A9 1 3C & 3D	In Review
October 21, 2025	2500515, Boundary Line Adjustment, 227 & 231 Mosby Lane, 20A7-4-179 & 179A	Approved
November 6, 2025	2500540, Lot Consolidation, 218 E. 4 th Street, 20A4-10-17A	In Review
December 12, 2025	2500599, 6 Lots into 2, Grand Avenue, 20A6-6-4-11 thru 16	Approved



ADDITIONAL ITEMS REVIEWED BY THE PLANNING COMMISSION – 2025		
DATE OF MEETING	APPLICANT	STATUS
February 19, 2025	2500002 – Exterior Renovations to the structure located in the entrance corridor located at 1355 N Shenandoah Avenue, identified by tax map 20A2, section 4, block 57, parcels 23-34. The property is zoned C-1, Community Business District.	Approved w/ Conditions.
April 8, 2025 Joint Work Session with the Board of Architectural Review	The Planning Commission held a joint work session with the Board of Architectural Review to draft a Zoning Text Amendment to Town Code §175-84.B – Board of Architectural Review, to add language restricting the redevelopment of historic residential sites to single-family dwelling units in the Residential Area of the Towns' Historic District; and Town Code Chapter 175-29 – Uses Permitted by Right, to add language preventing the conversion of single-family residential structures into multifamily or two-family dwellings.	Town Council Approved 9/22/2025.

BOARDS AND COMMISSIONS MEMBER MEETING ATTENDANCE 2025

Board of Zoning Appeals

NAME	MEETINGS PRESENT	# OF MEETINGS
Clare Schmitt	3	3 (100%)
Cody Taylor	3	3 (100%)
Maria Dutton	3	3 (100%)
Lorie Noakes (Resigned 9/30/2025)	2	2 (100%)
James Jackson	2	3 (67%)
Tim Brogan	1	1 (100%)

Board of Architectural Review Regular Meetings and Work Sessions

NAME	MEETINGS PRESENT	# OF MEETINGS / WORK SESSIONS
Gary Vaughan	5	7 (71%)
Katherine Snyder	3	7 (43%)
Collin Waters	8	8 (100%)
Ellen Aders	8	8 (100%)
Dede Nash	5	8 (63%)
Teresa Henry	1	1 (100%)
Kevin Cuddeback	1	1 (100%)

Planning Commission - Work Sessions

NAME	MEETINGS PRESENT	# OF WORK SESSIONS
Connie Marshner	17	18 (94%)
Megan Marrazzo	15	18 (83%)
Louis A. R. Neel	18	18 (100%)
Andrew Brooks	11	18 (61%)
Teresa Fedoryka	13	16 (81%)

Planning Commission - Regular Meetings

NAME	MEETINGS PRESENT	# OF MEETINGS
Connie Marshner	12	12 (100%)
Megan Marrazzo	10	12 (83%)
Louis A. R. Neel	11	12 (92%)
Andrew Brooks	10	12 (83%)
Teresa Fedoryka	9	10 (90%)

BOARD OF ZONING APPEALS 2025

The Code of Virginia requires all jurisdictions with a Zoning Ordinance to have a Board of Zoning Appeals. The Board of Zoning Appeals is a five-member board of citizens appointed by the Circuit Court. The Board hears variance requests from the requirements of the Zoning Ordinance and appeals of decisions made by the Zoning Administrator. All variance requests and appeals require a public hearing. Appeal and variance requests are discretionary decisions; although case law does provide guidance as to what the courts consider a hardship which is required for a variance approval.

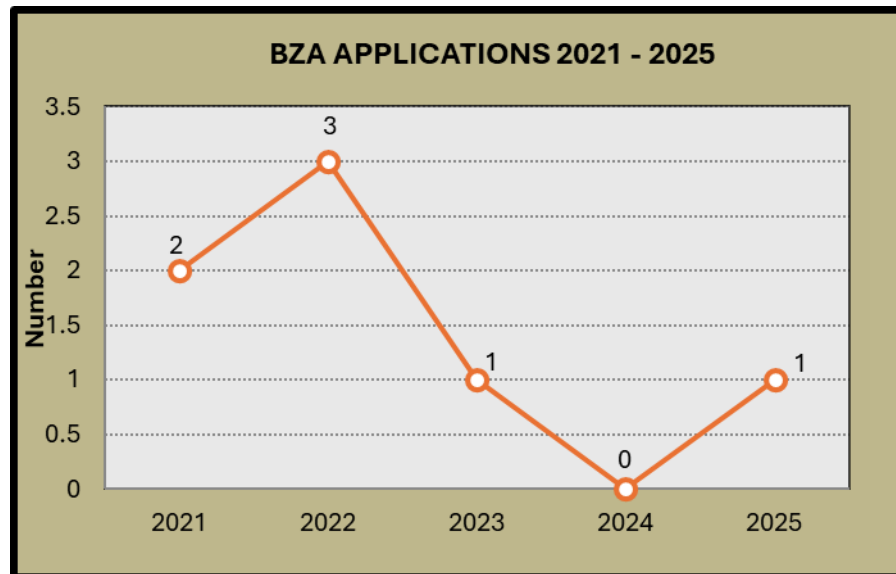
In 2025, the Board of Zoning Appeals held three (3) regular meetings. The chart below shows the actions taken by the Board of Zoning Appeals in 2025.

2025 BZA MEMBERS

Clare Schmitt.....Term Expires May 1, 2027..... Appointed 3/27/2023
 Cody TaylorTerm Expires May 1, 2029..... Reappointed 4/22/2024
 Maria DuttonTerm Expires May 1, 2030..... Reappointed 5/28/2025
 James JacksonTerm Expires May 1, 2028..... Appointed 11/25/2024
 Lorie NoakesTerm Expires May 1, 2026..... Appointed 8/26/2024 Resigned 9/30/2025
 Tim Brogan.....Term Expires May 1, 2026..... Appointed 10/27/2025 to Fill Unexpired Term

BZA ANNUAL REPORT 2025		
DATE OF MEETING	APPLICANT	ATTENDANCE
February 18, 2025	The BZA met to consider meeting minutes, elect officers, and review the 2024 Board of Zoning Appeals Annual Report.	Present: Clare Schmitt Cody Taylor Maria Dutton Lorie Noakes James Jackson
August 19, 2025	The BZA met to consider meeting minutes and review one (1) Variance Application. 2500335 – A Variance Application submitted by Orange Creek LLC for a variance from Town Code §175-24.A. pertaining to the construction of a building and the side yard setback located on property at 15 and 17 W. 11th Street, identified by Tax Map 20A2-4-43-24. The property is located in the R-2, Residential District. The variance would effectively allow the applicant a side yard setback of 8.7 feet. The required side yard setback should be a minimum of ten feet (10'). The variance requested by the applicant is to allow a setback of less than ten feet (10') for a recently constructed two-family attached dwelling. <i>Status: Chairman Taylor moved, seconded by Ms. Dutton to deny the variance application. (Chairman Taylor stated the BZA cannot legally grant a variance in the clear with it being a self-created hardship.)</i>	Present: Clare Schmitt Cody Taylor Maria Dutton Lorie Noakes James Jackson Denied: 5-0

December 16, 2025	The BZA met to review meeting minutes received training from staff. The BZA discussed two (2) “mock” cases. One Zoning Determination Appeal and one (1) Variance Request.	Present: Clare Schmitt Cody Taylor Maria Dutton Tim Brogan Absent: James Jackson
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BOARD OF ARCHITECTURAL REVIEW 2025

The Board of Architectural Review (BAR) consists of five (5) voting members who are appointed by the Town Council. The intent of the BAR is to promote and protect the health, safety, comfort, recreation, prosperity, and general welfare of the community through the identification, preservation and enhancement of buildings, structures, neighborhoods, landscapes, places, and areas which have special historical, cultural, artistic, architectural, or archaeological significance as provided by Section 15.1-503.2 of the Code of Virginia, as amended.

In 2025, the Board of Architectural Review held five (5) regular meetings, two (2) work sessions and one (1) joint work session with the Planning Commission. The BAR heard eight (8) application requests. The chart below shows the actions taken by the BAR in 2025.

2025 BAR MEMBERS

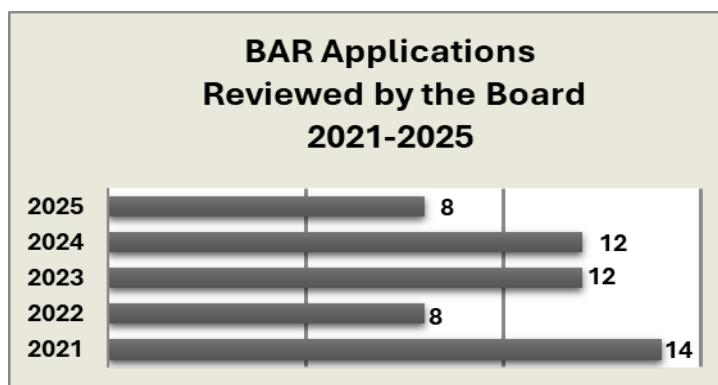
Gary Duane Vaughan	Term Expires November 13, 2025	Appointed December 21, 2009
Katherine Snyder	Term Expires November 13, 2025	Appointed October 28, 2021
Collin Waters	Term Expires November 13, 2025	Appointed February 22, 2021
Ellen Aders	Term Expires November 13, 2027	Appointed October 23, 2023
Dede B. Nash	Term Expires November 13, 2028	Appointed November 25, 2024
Kevin Cuddeback	Term Expires November 13, 2029	Appointed October 27, 2025
Teresa Henry	Term Expires November 13, 2029	Appointed October 27, 2025

BAR ANNUAL REPORT 2025		
DATE OF MEETING	APPLICANT	STATUS
January 14, 2025 Regular Meeting	Application #2400693 – A Certificate of Appropriateness Application submitted by Shelly Cook for the installation of stairs, installation of 2nd level deck and railings, removal of windows and replace with a door on the second story accessing the deck, and removal and replacement of the 2nd story front and side windows at 207 S. Royal Avenue, identified by Tax Map 20A7-4-106. The property is zoned C-1, Community Business District and is located in the Historic Overlay District. Work is complete. Status: Ms. Aders moved, seconded by Ms. Nash to approve application #2400693, approving the rear deck, the door, and vinyl windows throughout the structure except the front façade. Approval is conditional on the front two (2) windows being replaced with divided light, two over two, double-hung wooden windows complete with wooden sash, jam and sill.	Present: Collin Waters Dewey Vaughan Ellen Aders Dede Nash Absent: Katie Snyder Approved: 4-0 Absent: 1

January 14, 2025 Regular Meeting (Continued)	<i>the existing window, height adjusted as needed.</i> 6. <i>Add Dutch Lap cedar siding, 5" to 7" to the front façade, not to exceed the height of the rollup door and paint black above the cedar siding.</i> 7. <i>The addition of up to two (2) black lantern style lights above the entrance for people.</i>	
March 11, 2025 Regular Meeting	Application #2400691 – A Certificate of Appropriateness Application submitted by Cloverdale LLC to re chink the log and possible replacement of any damaged logs depending on their condition at 123 Chester Street, identified by Tax Map 20A8-2-4B. The property is zoned C-2, Downtown Business District and is located in the Historic Overlay District. Status: <i>Ms. Aders moved, seconded by Ms. Nash to approve COA Application #2400691 as submitted with the scope of services outlined.</i> Application #2500047 – A Certificate of Appropriateness Application submitted by Hyo K. Bang to replace eighteen (18) existing wood windows with vinyl windows at 507 E. Main Street, identified by Tax Map 20A8-7-4. The property is zoned C-2, Downtown Business District and is located in the Historic Overlay District. Work has started. Status: <i>Ms. Aders moved, seconded by Ms. Snyder to approve the three (3) vinyl windows on the west facing façade which faces the laundromat on the upstairs portion of the home and to deny all other windows in the house.</i>	Present: Collin Waters Dede Nash Katherine Snyder Ellen Aders Absent: Dewey Vaughan Approved: 4-0 Absent: 1 Approved: 4-0 Absent: 1
March 11, 2025 Work Session	At their work session the BAR discussed previous COA applications, enforcement procedures, and revising the Historic District Guidelines.	Present: Collin Waters Dede Nash Katherine Snyder Ellen Aders Absent: Dewey Vaughan

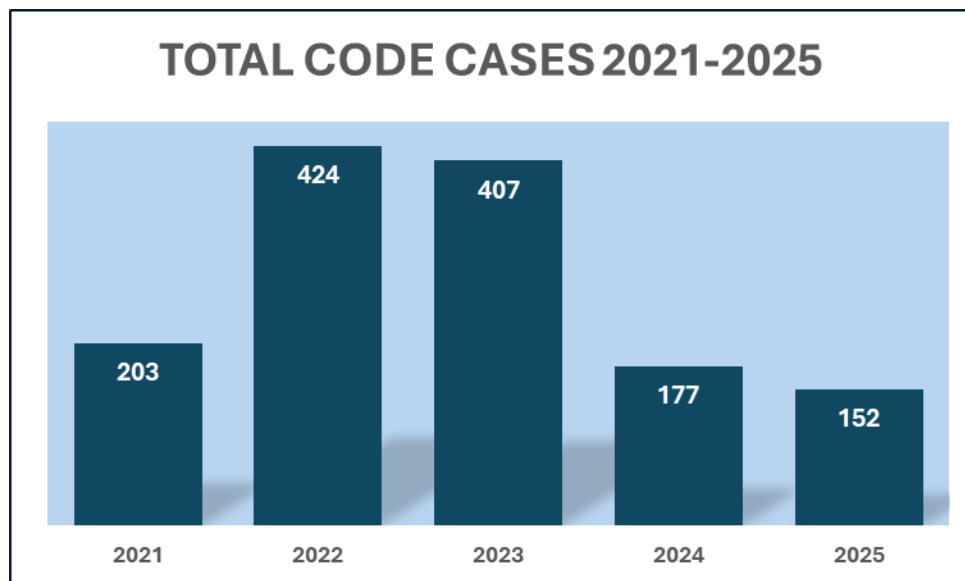
April 8, 2025 Joint Work Session with the Planning Commission	The BAR held a joint work session with the Planning Commission to draft a Zoning Text Amendment to Town Code §175-84.B – Board of Architectural Review, to add language restricting the redevelopment of historic residential sites to single-family dwelling units in the Residential Area of the Towns' Historic District; and Town Code Chapter 175-29 – Uses Permitted by Right, to add language preventing the conversion of single-family residential structures into multifamily or two-family dwellings.	Present: Collin Waters Dewey Vaughan Katherine Snyder Ellen Aders Absent: Dede Nash
August 12, 2025 Regular Meeting	Application #2500359 – A Certificate of Appropriateness Application submitted by Elizabeth Lewis on behalf of the Town of Front Royal to install a 24" x 36" ground mounted sign located near the Town of Front Royal Gazebo on property identified by Tax Map no. 20A8-5-2 to commemorate the dedication of the Gazebo and Front Royal Commons as "John Marlow Plaza". The property is zoned C-2, Downtown Business District and is within the Historic Overlay District. <i>Status: Vice Chairman Vaughan moved, seconded by Ms. Aders to approve the application as presented.</i>	Present: Collin Waters Dewey Vaughan Ellen Aders Dede Nash Absent: Katherine Snyder Approved: 4-0 Absent: 1
September 9, 2025 Work Session	The BAR met in a work session to continue a discussion related to the Zoning Text Amendment to Town Code §175-84.B – Board of Architectural Review, to add language restricting the redevelopment of historic residential sites to single-family dwelling units in the Residential Area of the Towns' Historic District; and Town Code Chapter 175-29 – Uses Permitted by Right, to add language preventing the conversion of single-family residential structures into multifamily or two-family dwellings. In addition, the Board discussed training for BAR members, obtaining a new Virginia Department of Historic Resources Survey, BAR by-laws, revisions to the Historic District Guidelines, and updates on previous violations.	Present: Collin Waters Dewey Vaughan Ellen Aders Katherine Snyder Absent: Dede Nash

October 14, 2025	Application #2500476 – A Certificate of Appropriateness Application submitted by Dollar House, LLC, c/o Matthew Tederick, Managing Member to replace the existing wood decking on the front porch with Trex decking, replace the existing wood steps with a composite material, and to replace the existing handrails from wood to black pipe at 100 Peyton Street. Work is complete. <i>Status: Ms. Aders moved, seconded by Vice Chairman Vaughan to approve the application with the contingencies of covering up the Trex edging along the steps on the right side of the building, replacing the tops of the handrails from Trex to wood, and painting all of the wood that is exposed now by the spring time.</i>	Present: Collin Waters Dewey Vaughan Ellen Aders Absent: Dede Nash Katherine Snyder Approved: 3-0 Absent: 2
December 16, 2025 Regular Meeting	Application #2500531 – A Certificate of Appropriateness Application submitted by Stella Maris, LLC to replace the existing 288 square foot wood deck with Trex and obtain approval for the existing handicap ramp at 25 S. Royal Avenue, identified by Tax Map 20A7-4-23. The property is zoned C-2, Downtown Business District and is located in the Historic Overlay District. Work has started. <i>Status: Ms. Aders moved, seconded by Ms. Nash to approve Application #2500531 as presented to the Board of Architectural Review.</i> The BAR continued discussing proposed revisions to the Historic District Guidelines.	Present: Collin Waters Ellen Aders Dede Nash Teresa Henry Kevin Cuddeback Approved: 5-0



CODE ENFORCEMENT ACTIVITY 2021 – 2025

CODE ENFORCEMENT	2021	2022	2023	2024	2025
New Code Enforcement Cases Opened	203	424	407	177	152
Code Enforcement Cases in Compliance/Closed	--	361	378	112	59
Code Enforcement Inspections & Re-Inspections	--	340	423	209	191



PLANNING & ZONING DEPARTMENT ACTIVITY 2021 – 2025

APPLICATIONS	2021	2022	2023	2024	2025
Zoning Permits	293	280	393	320	291
New Dwelling Units	27	37	32	60	21
Land Use Applications	29	56	36	46	44
Code Amendments	7	2	4	1	9
Sign Permits	47	41	62	44	36
Business Licenses	172	155	148	129	127
Short-Term Rentals	1	13	5	5	2
Administrative Variance	--	--	4	1	1
Certificate Of Appropriateness Administrative Review	--	--	39	18	33
Certificate Of Appropriateness Board Review	--	--	11	15	5
Solicitor/Itinerant Merchant	--	--	10	27	19
Urban Agriculture	--	--	18	11	4
Alley Vacation	--	--	5	2	9
Right of Way Utilization Permits	--	--	46	105	32
Walk-Ins to Planning & Zoning	--	--	--	2606	2255



FEBRUARY MONTHLY REPORT

PLANNING AND ZONING DEPARTMENT – FEBRUARY 2026

	2022	2023	2024	2025	2026 YTD	FEBRUARY
Zoning Permits	280	393	319	291	25	10
New Dwelling Units	37	32	60	21	1	1
New Code Enforcement Cases Open	424	407	177	152	15	11
Code Enforcement Cases in Compliance/Closed	361	378	112	59	4	3
Code Enforcement Inspections/Reinspections	340	423	388	191	17	13
Land Use Applications	56	36	45	44	8	4
Ordinance Amendments	2	4	1	9	1	0
Sign Permits	41	62	42	36	4	3
Business Licenses	155	148	129	127	18	10
Short-Term Rentals	13	5	5	2	1	1
Administrative Variance	--	4	1	1	0	0
COA Administrative Review	--	39	18	33	0	0
COA Board Review	--	11	15	5	1	0
Solicitor/Itinerant Merchant	--	10	27	19	3	0
Urban Agriculture	--	18	11	4	2	2
Vacation of Alleys, Streets, Right-of-Ways & Easements	--	5	2	9	0	0
Right of Way Utilization Permits	--	46	105	32	20	17
BZA Variance	3	2	0	1	0	0
BZA Appeal	0	0	0	0	2	0
Walk-Ins to Planning & Zoning	--	--	2606	2255	304	128

SPECIAL PROJECTS UPDATES/NEWS

- **Chapter 175 and 148 Rewrite:** A rough draft of Chapter 175 was distributed to the Planning Commission August 7, 2024. Review is ongoing. The draft Subdivision rewrite should be presented to the Planning Commission by April.
- **Zoning Text Amendment** 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. At their public hearing held on October 15, 2025, the PC recommended approval to the Town Council at their public hearing held on November 24, 2025. The Town Council referred the zoning text amendment back to the Planning Commission for further review. The PC recommended approval to the Town Council at their public hearing on February 18, 2026.
- Staff has provided application forms to the iWorq support staff for the application online submission portal. The online application submission portal is currently being reviewed by staff.
- The applicant is addressing staff comments for the preliminary plan for “Riverton View” Subdivision Development Plan off of W. Strasburg Road (formerly named “Riverview Heights”). The “Strasburg Road Subdivision Development Plan” off Forest Hill Road has been approved and is waiting on the submission of the bond agreement and the “Marshall’s Glen Subdivision Development Plan” off Happy Creek Road is currently under the final stages of review from DEQ. The “Squirrel Hill Final Subdivision Development Plan” applicant is addressing comments from VDOT and street design. The applicant is addressing staff comments for the Heritage Hall Development Plan for the expansion of the existing building.

PC – In February the Planning Commission (PC) held one (1) regular meeting and one (1) work session. At their regular meeting the PC made the following recommendations:

PUBLIC HEARINGS:

- Special Use Permit Application #2600610 for a short-term rental at 214 Lee Street: *Recommendation of Approval.*
- Rezoning Application #2600013 for an amendment to the zoning map to reclassify two vacant lots on Grand Avenue from R-1, Residential District to R-3, Residential District: *Recommendation of Denial.*

- Special Exception Application #2600021 requesting a Special Exception from Town Code Chapter 148-860-A.6. e. which limits the maximum height of a retaining wall to six (6) feet. The applicant is requesting to increase the maximum allowable wall height to ten (10) feet, for undeveloped properties located on Orchard Street: *Recommendation of Approval.*
- Zoning Text Amendment #2500319 to Town Code sections §175-3 - Definitions, to define the use of an “Auxiliary Dwelling Unit”; §175-11, §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 to establish §175-115 “Auxiliary Dwelling Unit” performance standards within the Supplementary Provisions of Town Code: *Recommendation of Approval.*

At their work session the PC reviewed the above mentioned applications and the Auxiliary Dwelling Unit (ADU) text amendment.

BAR – In February the Board of Architectural Review held one (1) regular meeting. The BAR elected officers and partially approved a COA application submitted by the Town of Front Royal Energy Services Department to replace all street lights within the Historic District. The BAR asked the Energy Services Director to provide a sample of a size bigger street light.

BZA – The Board of Zoning Appeals held one (1) regular meeting in February to review two (2) Appeal Applications.

- **2600001** - An appeal of the Zoning Administrators’ issuance of a Notice of Violation related to a violation of Town Code Section 175-10.22. Upon inspection, the Appellant was found to be raising and breeding livestock, specifically goats within the R-S Zoning District on property located at 1205 Happy Creek Road and identified on Tax Map 20A21-2-18. The R-S zoning district does not permit agricultural pursuits as a permitted use. *The BZA motioned to overturn the Zoning Administrators determination.*
- **2600002** – An appeal of the Zoning Administrators’ issuance of a Notice of Violation related to the Home Occupation standards and limitations set forth in Town Code Section 175-108.1. Specifically, the Zoning Administrator found that the applicant has changed the exterior appearance of the dwelling unit or changed the character of the neighborhood and has outdoor storage of goods, materials or equipment on property located at 1205 Happy Creek Road and identified on Tax Map 20A21-2-18. *The BZA moved to modify the violation and accept that the home occupation requires it to be an incidental use which means the business cannot grow or expand beyond its current capacity. That includes the number of goats, number of area under occupation by agricultural pursuits, and number of buildings related to those agricultural pursuits.*